

DEVELOPMENT STANDARDS



CITY OF TUCSON

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-01.0
PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS**

PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS

1-01.1.0	PURPOSE
1-01.2.0	DEFINITIONS
1-01.3.0	POLICY
1-01.4.0	PROCEDURES
1-01.5.0	RESPONSIBILITY FOR REVIEW

1-01.0.0 PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS.

1-01.1.0 PURPOSE. To provide procedures for the establishment of, and amendment to, standards for the development of land within the City of Tucson. This document also provides a procedure for the consideration of requests to modify requirements within a Development Standard and a procedure to hear appeals of decisions on those requests. This Standard is also established as Administrative Directive 1.02-9, under the City of Tucson Administrative Directives.

1-01.2.0 DEFINITIONS.

- A. Development - Any activity related to the use of land which is subject to regulation by the City of Tucson through its *Land Use Code* or other applicable City Code provisions.
- B. Standards - Design principles, criteria, and specifications which describe the manner in which development and related improvements are accomplished in order to obtain development approval.
- C. Improvements - Any on-site or off-site improvement including refuse container enclosures; street, sidewalk, sewer, water, and electric utility installations; drainage and flood control facilities; monuments or other similar facilities or development for which the City of Tucson may ultimately assume responsibility for maintenance and operation; or landscaping, screening, or other site improvement required by the *Land Use Code* or other appropriate City Code.
- D. Community Design Review Committee (CDRC) - A technical advisory committee, created by the City Manager, with representatives from City departments and non-City public agencies involved in development review (see Development Standard No. 1-03.0).

1-01.3.0 POLICY. The establishment of Development Standards is necessary to review land development proposals in a timely manner and to ensure that land development is properly planned and executed with due consideration for public services and facilities, topographic constraints, and the general public's health, safety, and welfare.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-01.0
PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS

1-01.4.0 PROCEDURES.

- 4.1 Initiation of Proposed Development Standards. Proposals to establish Development Standards, or to amend existing Development Standards, may be initiated by the director of any City department or by any non-City agency or individual affected by land development by submitting a draft proposal to the Planning Department.
- 4.2 Review of Proposed Development Standards. The review of a new Development Standard, or amendment to an existing Development Standard, is coordinated by the Planning Department. The review procedure is as follows.
- A. Proposed and revised Development Standards are submitted to the Planning Director, who transmits the item to the CDRC for preliminary review.
 - B. The Planning Director will ensure that community members affected by any proposed or revised Development Standard, including annual subscribers to the Development Standards Book, have the opportunity to review and comment on such proposals. These individuals are notified by the Planning Department that a draft Development Standard is available for review. Anyone interested in reviewing the draft Development Standard proposal may request a copy from the Planning Department. The public review may occur concurrently with preliminary CDRC review. All interested parties receive at least thirty (30) days for comment following the mailed notice indicating that the Development Standard is available for review.
 - C. Following the thirty (30) day review period, the Planning Director submits the revised Development Standard based on public comments and other agency comments to members of the CDRC for review and recommendation.
 - D. The Development Services Department Director will review all proposals for new Development Standards, as well as proposed revisions to existing Development Standards.
 - E. The Planning Director may limit or entirely eliminate CDRC and/or general public review of Development Standards which establish administrative procedures or submittal requirements.
- 4.3 Recommendation to the City Manager. Following review of the proposed or revised Development Standard by the CDRC and the public, the Planning Director transmits the Development Standard to the director of the initiating department for approval and signature. The Development Standard is then forwarded to the City Manager for final authorization.
- 4.4 Authorization of Development Standards. The City Manager may authorize a Development Standard where the CDRC and the initiating department have recommended it. The City Manager's decision is final, and the Development Standard becomes effective upon the signature of the City Manager, unless the Manager refers the matter to the Mayor and Council for consideration and action. In situations where the Development Standard is authorized through adoption of an ordinance by Mayor and Council, the effective date of the ordinance will apply.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-01.0
PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS

- 4.5 Publication of Development Standards. Development Standards established in accordance with the above procedures are distributed to affected governmental agencies, non-governmental organizations, and individuals and are maintained as public records in the Office of the City Clerk, the Development Services Department, the Department of Planning, and the agency responsible for their initiation and/or review. The Department of Planning maintains a format and organization for easy reference and amendment and is responsible for distribution of approved Development Standards.
- 4.6 Enforcement. The department and/or agency responsible for the adopted Development Standard is responsible for its implementation.
- 4.7 Modification Requests. Each Development Standard indicates the intent of each requirement and standards relating to health, life, and safety. The provisions of the Development Standards are not intended to prevent the use of any material or method of construction not specifically prescribed by the Development Standards. The Development Services Department Director may approve alternate materials and/or methods of construction provided that the proposed alternate meets the intent of the prescribed Development Standard and addresses any health, life, and safety considerations.
- A. *Standards for Consideration: Conditions.* Whenever there are practical difficulties which prevent the strict application of the Development Standards, the Development Services Department Director may approve modifications or waivers from the requirements of the Development Standard provided that:
1. The modification is in conformity with the intent and purpose of the Development Standard and such modification addresses health, life, and safety considerations; and
 2. The strict application of the Development Standard fails to accomplish the intent of the Development Standard due to such reasons as existing conditions, the character of the area, or existing site or location constraints, etc.

The applicant is responsible for supplying whatever information is necessary to demonstrate that there are practical difficulties resulting from the strict application of the Development Standard.

In granting approval of a modification request to a Development Standard, the director of the department charged with enforcement of the Development Standard may place conditions necessary to effectuate the purpose of the Development Standard. Code requirements restated in a Development Standard may not be modified by this process but may be varied or modified through the variance/modification process provided in the relevant code.

Each modification request and the decision on the request are site and development specific. The granting/denying of a Development Standard modification or waiver in one case shall not be a precedent for the granting/denying of a modification request in another case.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-01.0
PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS

4.7 Modification Requests. (Cont'd)

- B. *Procedure for Review of Request.* The applicant shall submit the modification request on an application form provided by the Development Services Department along with seven (7) copies of the plan which clearly indicates the area(s) of the project affected by the request.

The request shall be submitted to the Development Services Department which will confer with the director or designee of the department charged with enforcement of the Development Standard being modified. The Development Services Department Director may ask the CDRC Core Members, as defined in Development Standard 1-03.0, for input regarding any modification to a Development Standard. The Development Services Department Director and the applicable department director(s) shall approve or deny the modification request within five (5) working days from the application date. The decision on the modification shall be provided in writing by the Development Services Department and distributed to the applicant, all CDRC members, and any party requesting a copy.

The Development Services Department shall maintain a permanent record of modification requests to the Development Standards.

- C. *Appeal of Decision.* Appeals from decisions of the Development Services Department Director on requests to modify a requirement in a Development Standard are heard by the Zoning Examiner. The appeal shall be processed by the Development Services Department as follows.
1. *Submittal.* The appeal is submitted in writing to the Development Services Department within fourteen (14) days of the issuance of the decision being appealed. An appeal may be submitted by the applicant and/or representative or by any member of the CDRC affected by the request. The filing of an appeal stays all proceedings.
 2. *Notice.* Mailed notice is sent to the applicant and/or representative and to any CDRC member affected by the modification request. The mailed notice shall provide: the name of the applicant and/or representative and the mailing address; the assigned title and file number of the modification request; the modification request, including the reasons for the request; the date, time, and location the appeal will be considered by the Zoning Examiner; and the address and telephone number of DSD.
 3. *Zoning Examiner Hearing.* The appeal is considered by the Zoning Examiner in an administrative hearing within thirty (30) days of the filing of the appeal but no earlier than fifteen (15) days after the mailed notice is sent. During the review of the appeal, the Examiner considers testimony presented by those entities/persons noticed of the appeal or determined to be affected by the modification request. The Zoning Examiner may continue the hearing for a period of not longer than thirty (30) days.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-01.0
PROCEDURES FOR THE ESTABLISHMENT OF DEVELOPMENT STANDARDS

4.7 Modification Requests. (Cont'd)

4. *Appeal of Zoning Examiner's Decision.* The Examiner's decision may be appealed by a party of record within fourteen (14) days of the date of decision. The filing of an appeal stays all proceedings.
5. *Issuance of Permits/Approvals.* Permits or development approvals dependent on the modification shall not be issued until the fourteen (14) day appeal period has expired.

1-01.5.0 RESPONSIBILITY FOR REVIEW. The Planning Director, together with the Development Services Department Director, will review this directive annually in January, or as necessary.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-02.0
PRESENTATION FORMAT FOR PROPOSED DEVELOPMENT STANDARDS**

PRESENTATION FORMAT FOR PROPOSED DEVELOPMENT STANDARDS

- 1-02.1.0 PURPOSE**
1-02.2.0 PRESENTATION FORMAT
-

1-02.0.0 PRESENTATION FORMAT FOR PROPOSED DEVELOPMENT STANDARDS.

1-02.1.0 PURPOSE. To provide a consistent format to all proposed Development Standards that are presented in accordance with Development Standard No. 1-01.0. This format would assure proper and adequate information and consistency in presentation for all proposed Standards.

1-02.2.0 PRESENTATION FORMAT. All proposed Standards are to be submitted to the Planning Department in the following format:

A. Sheet.

1. 8½ x 11 size
2. Each page shall reference the title of the Standard.
3. Each page shall be numbered, and the total number of pages for the Standard shall be noted. (Example: Page 1 of 8)

B. The format for each Standard shall be as follows:

- I. Purpose
- II. Definitions
- III. Standard
- IV. Illustrations
- V. Cross-Reference

C. Thirty copies (30) are to be submitted for distribution and review.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-03.0
COMMUNITY DESIGN REVIEW COMMITTEE**

COMMUNITY DESIGN REVIEW COMMITTEE

1-03.1.0	GENERAL
1-03.2.0	ORGANIZATION
1-03.3.0	FUNCTIONS
1-03.4.0	APPENDIX
1-03.5.0	RESPONSIBILITY FOR REVIEW

1-03.0.0 COMMUNITY DESIGN REVIEW COMMITTEE.

1-03.1.0 GENERAL.

- 1.1 Purpose. To establish the organization and function of the Community Design Review Committee (CDRC).
- 1.2 Definitions. None.
- 1.3 Policy. The City of Tucson is committed to encourage and facilitate the efficient and innovative development of land within its city limits, with a particular interest in infill areas.

1-03.2.0 ORGANIZATION.

- 2.1 General. The CDRC is composed of City departments, utility companies, and other agencies which regulate land use within the city limits.
- 2.2 Membership.
 - A. *Core Members.* Members in this category are the following City departments, which are asked to review and comment in writing on submittals to the CDRC and are invited to attend the regular meetings, as appropriate:

Development Services (Project Management, Building Code, Zoning Review Section, Landscape Section, and Engineering Development Review)
Planning (Community Planning and Preservation)
Transportation (Engineering, Floodplain, and Traffic)
Fire
Solid Waste Management (Sanitation)
City Attorney
 - B. *Utilities.* Members in this category are the following utilities which are asked to review submittals and respond in writing and may be asked to attend meetings as appropriate.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-03.0
COMMUNITY DESIGN REVIEW COMMITTEE**

2.2 Membership. (Cont'd)

Pima County Wastewater Management
Southwest Gas
Qwest Communications
Tucson Electric Power Company
Tucson Water Department

- C. *Other Public Agencies.* Public agencies under this category are only asked to review submittals and comment in writing.

United States Postal Service
State of Arizona Department of Transportation
Pima Association of Governments
Pima County Air Quality Control
Pima County Planning & Development Services
Pima County Addressing
Pima County Assessor
Pima County Transportation
Tucson Airport Authority

- 2.3 Coordination. The Director of the Development Services Department (DSD), or designated representative, chairs the CDRC and is responsible for coordinating, compiling, and maintaining a record of all the responses generated by the CDRC members. CDRC recommendations are transmitted to the Planning Director, DSD, the Zoning Examiner, the City Manager, and the applicant as applicable.

The DSD serves as a single point of contact and administrative review agency to ensure the processing of submittals in an orderly and timely manner and with the least amount of difficulty.

As part of its coordination function, the DSD maintains a list of professionals, agencies, etc., which, even though they are not members of the CDRC, have expressed interest in being informed when submittals for new projects are made to the CDRC for review. The DSD mails a copy of the CDRC application to these interested parties as a courtesy when a submittal is made to the CDRC. The recipients cannot place any requirements on the project.

- 2.4 Meetings. The chair of the CDRC schedules the appropriate regular weekly meetings to allow the applicant the opportunity to discuss the comments generated by the CDRC members and get clarifications/explanations regarding regulations and processes.

CDRC meetings are open to the public, but they are not public hearings. Members of the public are allowed only to listen and ask questions related to the project under discussion.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-03.0
COMMUNITY DESIGN REVIEW COMMITTEE

- 2.5 Project Review Comments. Each CDRC member reviews submittals, as appropriate, only for conformance with the codes, ordinances, Development Standards, and other applicable regulations for which his/her department or agency is responsible for enforcing. Each CDRC member provides the CDRC with a written response which includes any resubmittal requirements, if applicable. Comments generated by CDRC members shall quote the pertinent section(s) of the code(s) or Development Standard(s). The DSD compiles and makes available these comments to the applicant in a timely manner.
- 2.6 Conflicting Requirements. The DSD Director resolves any conflict that may arise among CDRC members regarding a development requirement or process and documents the measures taken to resolve the conflict.

1-03.3.0 FUNCTIONS.

- 3.1 General. The CDRC serves in a technical advisory capacity for the City Manager, the Zoning Examiner, the Planning Director, the DSD Director, and the Mayor and Council.

The CDRC primary functions are to facilitate and expedite the review and approval of subdivision plats, development plans, and land development regulations, such as Development Standards, and to ensure compliance with adopted codes and regulations applicable to a project.

CDRC members possess the necessary administrative authority and expertise to properly evaluate matters before the CDRC and are obligated to respond expeditiously and in a timely and courteous manner.

They are also expected to objectively enforce requirements established by an adopted code, ordinance, or Development Standard and to assist to the best of their ability in finding solutions to technical and procedural problems.

- 3.2 Development Regulations Information. CDRC members provide information to individuals regarding development of specific sites within the City of Tucson. Such information may include explanations of regulations and design standards applicable to the proposed development and any other land use related information including projected capital improvements.
- 3.3 Technical Review. The CDRC performs formal technical review of all tentative and final plats, development plans, and design standards, in accordance with applicable codes and ordinances.

Informal preliminary reviews can be done by the CDRC by scheduling a presubmittal conference with DSD. The quality of comments generated at a presubmittal conference is directly related to the quality and level of detail provided by the applicant.

The DSD Director has the discretion to ask the CDRC for advice regarding any other matter related to land development.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-03.0
COMMUNITY DESIGN REVIEW COMMITTEE**

1-03.4.0 **APPENDIX.** None.

1-03.5.0 **RESPONSIBILITY FOR REVIEW.** The DSD Director reviews this Standard at least annually or at the discretion of the City Manager.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-04.0
SUBDIVISION ASSURANCE PROCEDURES**

SUBDIVISION ASSURANCE PROCEDURES

1-04.1.0	PURPOSE
1-04.2.0	DEFINITIONS
1-04.3.0	POLICY
1-04.4.0	SUBDIVISION IMPROVEMENT ASSURANCES
1-04.5.0	RESPONSIBILITY FOR REVIEW

1-04.0.0 SUBDIVISION ASSURANCE PROCEDURES.

1-04.1.0 PURPOSE. To provide affected City departments with procedures for approving assurances for the completion of subdivision improvements as required by state law, Arizona Revised Statutes, Section 9-463.01(C)(8).

1-04.2.0 DEFINITIONS. Definitions for words used in this Standard are found in the Development Standards Glossary or in Sec. 6.2.0 of the Tucson *Land Use Code (LUC)*.

1-04.3.0 POLICY. Subdivision plats are to be reviewed and approved in a manner consistent with the requirements of state law.

1-04.4.0 SUBDIVISION IMPROVEMENT ASSURANCES.

4.1 Completion of Improvements. All subdivision improvements, including streets and sidewalks; sewer, water, and electric utilities; drainage and flood control improvements; and monuments, as required by Article IV of the *LUC*, the improvement standards of the City Engineer, the Director of Tucson Water, the electric utility, and state statutes and regulations, shall be completed before a subdivision plat may be transmitted to the Mayor and Council for final approval. All required improvements shall be made by the subdivider in accordance with current policies of the City Engineer, Director of Tucson Water, and the electric utility.

4.2 Alternatives. As an alternative to the completion of required subdivision improvements, a subdivider may:

- A. Post performance bonds from a surety bonding company authorized to do business in the State of Arizona. The bonds shall name the City of Tucson as obligee and shall be in an amount at least equal to the cost, as estimated by the subdivider and approved by the City Engineer or designee, Director of Tucson Water, or authorized representative of the electric utility as sufficient to secure to the City the satisfactory construction, installation, and dedication of the uncompleted portion of the required improvements.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-04.0
SUBDIVISION ASSURANCE PROCEDURES**

4.2 Alternatives. (Cont'd)

- B. Establish a cash escrow account with the City or a bank or similar financial institution acceptable to the Beneficiary. The amount of the cash escrow account shall be at least equal to the cost, as estimated by the Depositor and approved by the Beneficiary, of construction, installation, and dedication of the required improvements.

Such cash escrow account shall provide for one (1) of the following:

1. That the principal and accumulated interest shall be held in trust by the Beneficiary or the Escrow Agent until released in whole or part by the Beneficiary and may not be used or pledged by the Depositor for any purpose during the period the escrow account is in effect; and further, that in the case of a failure on the part of the Depositor to complete the required improvements within the specified time period and upon notice by the Beneficiary to the Depositor, the escrow funds and all accumulated interest shall immediately, without further action, be made available to the Beneficiary for use in completion of those improvements.
 2. That the Depositor make a cash contribution to an escrow account, and to include the interest accumulated thereon after the date of such contribution, so as to provide the Beneficiary the flexibility of deferring permanent improvements along or adjacent to arterial or collector streets by holding contributed funds until such time as sufficient funds become available to design, and/or construct, an entire section of roadway or other improvement.
- C. Provide a letter of credit from a bank or other financial institution or person acceptable to the City. The letter of credit shall provide the following:
1. That the creditor guarantees funds in an amount equal to the cost, as estimated by the subdivider and approved by the City Engineer or designee, Director of Tucson Water, and authorized representative of the electric utility, of construction, installation, and dedication of the required improvements.
 2. That, in the case of failure on the part of the subdivider to complete the required improvements within the specified time period and upon notice by the City to the subdivider, the creditor shall, without further action, immediately pay to the City such funds as are necessary to complete the required improvements, up to the limit of credit stated in the letter.
 3. That the letter of credit may not be withdrawn or reduced in amount until released by the City.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-04.0
SUBDIVISION ASSURANCE PROCEDURES**

4.2 Alternatives. (Cont'd)

- D. Provide such other assurances or security as the City Engineer or designee, Director of Tucson Water, or authorized representative of the electric utility may recommend and the Mayor and Council may approve as appropriate and necessary to secure completion of the required improvements.

4.3 Assurance Requirements. The assurances described in Sec. 1-04.4.2 are subject to the following requirements:

- A. Such assurances shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution.
- B. The period within which the required improvements must be completed shall be incorporated in the documents creating the assurance and should generally not exceed two (2) years from the date of final plat approval. However, the City Engineer or designee may recommend a longer period for completion of improvements where, because of incompatible grades, inadequate connecting facilities, or lack of future planning, completion within two (2) years is impossible or undesirable. Subsequent to final plat approval, the City Engineer or designee may, upon proof of difficulty, recommend to the Mayor and Council extension of the completion date described in the assurances.
- C. The City Engineer, or duly-appointed representative, may, at any time during the period of the assurance, accept a substitution of principal or sureties.

1. Substitution of Third-Party Land Trust Assurance

Processing/Review Fee.....\$100

4.4 Deferral or Waiver of Assurances. Upon the recommendation of the City Manager, the Mayor and Council may waive, prior to final plat approval, the completion of any improvements which in their judgment are not required in the interests of the public health, safety, and general welfare.

4.5 Inspection and Acceptance of Improvements. The City Engineer or designee and Director of Tucson Water shall provide for inspection of required improvements. If the City Engineer or designee and the Director of Tucson Water find upon inspection that any of the required improvements have not been constructed in accordance with the City's construction standards and specifications, the subdivider shall be responsible for completing or replacing such improvements to the specifications of the City Engineer or designee and Director of Tucson Water.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-04.0
SUBDIVISION ASSURANCE PROCEDURES**

4.5 Inspection and Acceptance of Improvements. (Cont'd)

The City will not accept dedication of the required improvements or release or reduce any assurance until the City Engineer or designee has received statements from the Director of Tucson Water and the Director of the Pima County Wastewater Management Department that such improvements have been satisfactorily completed. Upon such approval and recommendation by the City Manager, the Mayor and Council shall accept the improvements for dedication in accordance with established procedure.

4.6 Reduction of Assurances. The amount of an assurance may be reduced upon actual dedication of improvements, and then, only to the ratio that the improvement dedicated bears to the total improvements indicated on the plat. Where a subdivider completes and offers to dedicate the required improvements for a portion of the final plat, assurances for such improvements may be reduced only where the improvements can be used and maintained independently of improvements required for the entire plat. For example, temporary cul-de-sacs should be provided for incomplete streets; water, sewer, and electric facilities should be capable of independent operation; and adequate access for public safety vehicles should be provided. In no event shall assurances described in Sec. 1-04.4.2.A and Sec. 1-04.4.2.C be reduced below twenty-five (25) percent of the principal amount of each assurance before final plat approval.

4.7 Release of Assurance (Third-Party Land Trust).

- A. *Residential Subdivisions:* Up to seventy-five (75) percent of the lots in any particular phase may be released prior to completion and acceptance of the common-element improvements (i.e., sewer lines, water lines, street improvements, etc.). Any lot(s) released must be served by the common-element improvements. Once the common-element improvements have been accepted, partial releases greater than seventy-five (75) percent or a final release may be granted only when all the lot-specific improvements have been completed, inspected, and accepted by the appropriate agency.
- B. *Commercial Subdivisions:* Up to sixty (60) percent of the lots in any particular phase may be released prior to the completion and acceptance of the common-element improvements (i.e., sewer lines, water lines, street improvements, etc.). Any lot(s) released must be served by the common-element improvements. Once the common-element improvements have been accepted, partial releases greater than sixty (60) percent or a final release may be granted only when all the lot-specific improvements have been completed, inspected, and accepted by the appropriate agency.

1-04.5.0 RESPONSIBILITY FOR REVIEW. The City Engineer or designee will review this Standard annually in October.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

DEVELOPMENT REVIEW FEE SCHEDULE

1-05.1.0	GENERAL
1-05.2.0	DEVELOPMENT SERVICES DEPARTMENT (DSD) FEES
1-05.3.0	CHANGE OF ZONING FEES
1-05.4.0	ZONING REVIEW FEES
1-05.5.0	APPEAL FEES
1-05.6.0	PRIVATE IMPROVEMENT FEES

1-05.0.0 DEVELOPMENT REVIEW FEE SCHEDULE.

1-05.1.0 GENERAL.

- 1.1 Purpose. The purpose of this Standard is to establish appropriate fees which are assessed by the City for development of land within the City of Tucson.
- 1.2 Definitions. None.
- 1.3 Policy. The Tucson Code authorizes the City Manager to establish fees with approval by the Mayor and Council. Under Mayor and Council policy, each City of Tucson fee was approved after public hearing.
- 1.4 General, Applicable to All Fees.
 - A. All fees are collected at the time the application is filed.
 - B. All fees are payable to the City of Tucson.
 - C. Development Services Department Zoning fees may be waived for a governmental agency by the City Manager.
 - D. Any request to vary, waive, or appeal a Development Services Department fee (other than Zoning fees) is decided by the Mayor and Council.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

1-05.2.0 DEVELOPMENT SERVICES DEPARTMENT (DSD) FEES.

2.1 Community Design Review Committee (CDRC) Fees.

A. Development Plan Review for Change of Zoning

<u>Acres¹</u>				<u>Fee</u>	
0.00	to	2	\$750.00		
2.01	to	10	\$1,250.00	<u>plus</u>	\$100.00 per acre
10.01	to	50	\$2,500.00	<u>plus</u>	\$75.00 per acre
Over 50.1 Acres			\$5,000.00	<u>plus</u>	\$50.00 per acre

B. Development Plan Review for Annexation or as Required by Recorded Subdivision Plat

<u>Acres¹</u>				<u>Fee</u>	
0.00	to	2	\$750.00		
2.01	to	10	\$1,250.00	<u>plus</u>	\$100.00 per acre
10.01	to	50	\$2,500.00	<u>plus</u>	\$75.00 per acre
Over 50.1 Acres			\$5,000.00	<u>plus</u>	\$50.00 per acre

C. Planned Area Development (PAD) Zone Review Fee.

Platting fees per Sec. 1-05.2.1.D.1 of this Standard.

D. Subdivision Plat Review – Tentative and Final Plats.

For all subdivision platting processes:

<u>Acres¹</u>				<u>Fee</u>	
0.00	to	2	\$1,000.00		
2.01	to	10	\$1,500.00	<u>plus</u>	\$100.00 per acre
10.01	to	50	\$2,500.00	<u>plus</u>	\$75.00 per acre
Over 50.1 Acres			\$5,000.00	<u>plus</u>	\$50.00 per acre

2. When the application is for the platting of a cemetery, the review fee is \$750.00 each for tentative and final plats.

E. Request to Modify a Development Standard Requirement.....\$600.00

F. Microfiche Fee (applied to all applications submitted)\$15.00
or 1% of the total filing fee,
whichever is greater

¹Calculation to include the entire site area rounded to the nearest one-tenth of an acre.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

- 2.2 Site Plan Review Fees. Site plan review fees are assessed according to the following schedule:

<u>Acres²</u>			<u>Fee</u>		
0.00	to	2	\$750.00		
2.01	to	10	\$1,250.00	<u>plus</u>	\$100.00 per acre
10.01	to	50	\$2,500.00	<u>plus</u>	\$75.00 per acre
Over 50.1 Acres			\$5,000.00	<u>plus</u>	\$50.00 per acre

²Calculation to include the entire site area rounded to the nearest one-tenth of an acre.

- 2.3 Building Plan Review and Permit Fees.

A. *Building Plan Review Fees.*

1. Building plan review fees and deferred submittal fees per UAC 302.4.2 are 65% of the building permit fee for commercial buildings.
2. Building plan review fees and deferred submittal fees per UAC 302.4.2 are 50% of the building permit fee for residential buildings (Group R-3 and U Occupancies).
3. Model building plan review fee (for Group R-3 or U Occupancies or Swimming Pools) is 50% of the building permit fees plus \$23.00 for each additional exterior design elevation. The plan review fee for each subsequent use of this model plan within 12 months of model plan approval will not exceed \$50.00
4. No plan review fees for electrical, mechanical, and plumbing work will be charged when application for all permits (building, electrical, mechanical, and plumbing) are made in one application.

B. *Building Permit Fees.*

TABLE 3-A – BUILDING PERMIT FEES

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$26.00
\$501.00 to \$2,000.00	\$26.00 for the first \$500.00 plus \$3.30 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$76.00 for the first \$2,000.00 plus \$15.00 for each additional \$1,000, or fraction thereof, to and including \$25,000.00

- 2.3 Building Plan Review and Permit Fees (Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

\$25,001.00 to \$50,000.00	\$425.00 for the first \$25,000.00 plus \$11.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$700.00 the first \$50,000.00 plus 8.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,100.00 for the first \$100,000.00 plus \$6.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,500.00 the first \$500,000.00 plus \$5.10 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$6,150.00 for the first \$1,000,000.00 plus \$4.10 for each additional \$1,000.00, or fraction thereof

C. *Other Inspections and Fees.*

1. Inspections outside of normal business hours
 (minimum charge – two hours)..... \$54.00*
2. Reinspection fees assessed under provisions of Section 305.8 \$54.00*
3. Inspections for which no fee is specifically indicated
 (minimum charge – one-half hour) \$54.00*
4. Additional plan review required by changes, additions, or
 revisions to plans (minimum charge – one half hour)..... \$54.00*
5. For use of outside consultants for plan checking and
 inspections, or both Actual costs**
6. Housing Code compliance inspections under provisions
 of Sec. 16-27 of The Neighborhood Protection Ordinance, each\$87.00

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.4 Electrical Plan Review and Permit Fees.

- A. *Electrical Plan Review Fees.* The plan review fee for electrical permits is 25% of the total electrical permit fee.
- B. *Electrical Permit Fees.*

TABLE 3-B – ELECTRICAL PERMIT FEES

Permit Issuance

- | | | |
|----|--|---------|
| 1. | For the issuance of each electrical permit..... | \$26.00 |
| 2. | For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or finalized | \$8.00 |

System Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. New Residential Buildings

The following fees shall include all wiring and electrical equipment in or on each building or other electrical equipment on the same premises constructed at the same time

Multifamily. For new multifamily buildings (apartments and condominiums) having three or more dwelling units constructed at the same time, not including the area of garages, carports, and accessory buildings, per square foot (0.09_{m2}).....\$0.055

Single- and two-family. For new single- and two-family residential buildings constructed at the same time and not including the area of garages, carports, and accessory buildings, per square foot (0.09_{m2}).....\$0.061

For other types of residential occupancies and for alterations, additions, and modifications to existing residential buildings, use the Unit Fee Schedule.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.4 Electrical Plan Review and Permit Fees. (Cont'd)

2. Private Swimming Pools

For new private, in-ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, under-water lighting, water pumping, and other similar electrical equipment directly related to the operation of a swimming pool, each pool\$54.00

3. Carnivals and Circuses

Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays, and attractions.

For electrical generators and electrically driven rides, each \$26.00

For mechanically driven rides and walk-through attractions or displays having electric lighting, each\$8.00

For permanently installed rides, booths, displays, and attractions, use the Unit Fee Schedule.

4. Temporary Power Service

For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, each \$26.00

For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc., each \$13.00

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Receptacle, Switch, and Light Outlets

For receptacle, switch, light, or other outlets at which current is used or controlled, except services, feeders, and meters:

First 20 fixtures, each \$1.20

Additional fixtures, each \$0.80

Note: For multioutlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.4 Electrical Plan Review and Permit Fees. (Cont'd)

2. Lighting Fixtures

For lighting fixtures, sockets, or other lamp-holding devices:

First 20 fixtures, each \$1.20

Additional fixtures, each \$0.80

For pole or platform-mounted lighting fixtures, each \$1.20

For theatrical-type lighting fixtures or assemblies, each..... \$1.20

3. Residential Appliances

For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room, console, or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746W) in rating, each \$5.00

Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

4. Nonresidential Appliances

For nonresidential appliances and self-contained factory-wired nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW), or kilovolt-ampere (kVA), in rating, including medical and dental devices; food, beverage, and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each \$5.00

Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.

5. Power Apparatus

For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment, and other apparatus, as follows:

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.4 Electrical Plan Review and Permit Fees. (Cont'd)

Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA), or kilovolt amperes-reactive (kVAR):

Up to and including 1, each	\$5.00
Over 1 and not over 10, each	\$13.00
Over 10 and not over 50, each	\$27.00
Over 50 and not over 100, each.....	\$54.00
Over 100, each	\$81.00

Notes:

1. For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.
2. These fees include all switches, circuit breakers, contactors, thermostats, relays, and other directly related control equipment.

6. Busways

For trolley and plug-in type busways, each 100 feet (30480mm) or fraction thereof..... \$8.00

Note: An additional fee is required for lighting fixtures, motors, and other appliances that are connected to trolley and plug-in type busways. A fee is not required for portable tools.

7. Signs, Outline Lighting, and Marquees

For signs, outline lighting systems, or marquees supplied from one branch circuit, each \$27.00

For additional branch circuits within the same sign, outline lighting systems, or marquee, each..... \$5.00

8. Services

For services of 600 volts or less and not over 200 amperes in rating, each..... \$33.00

For services of 600 volts or less and over 200 amperes to 1000 amperes, each \$68.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.4 Electrical Plan Review and Permit Fees. (Cont'd)

For services over 600 volts or over 1,000 amperes in rating,
each \$136.00

9. Miscellaneous Apparatus, Conduits, and Conductors

For electrical apparatus, conduits, and conductors for which
a permit is required but for which no fee is herein set forth \$20.00

Note: This fee is not applicable when a fee is paid for
one or more services, outlets, fixtures, appliances, power
apparatus, busways, signs, or other equipment.

C. *Other Inspections and Fees.*

1. Inspections outside of normal business hours, per hour
(minimum charge – two hours)..... \$54.00*
2. Reinspection fees assessed under provisions of Section
305.8, per inspection \$54.00*
3. Inspections for which no fee is specifically indicated, per
hour (minimum charge – one-half hour) \$54.00*
4. Additional plan review required by changes, additions,
or revisions to plans for which an initial review has been
completed (minimum charge – one-half hour)..... \$54.00*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages and fringe benefits of the employees involved.

2.5 Mechanical Plan Review and Permit Fees.

- A. *Mechanical Plan Review Fees.* The plan review fee for mechanical permits is 25% of the total mechanical permit fee.
- B. *Mechanical Permit Fees.*

TABLE 3-C – MECHANICAL PERMIT FEES

Permit Issuance and Heaters

1. For the issuance of each mechanical permit \$26.00
2. For issuing each supplemental permit for which the
original permit has not expired, been canceled, or finalized \$8.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.5 Mechanical Plan Review and Permit Fees. (Cont'd)

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Furnaces

For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW)..... \$16.00

For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW) \$20.00

For the installation or relocation of each floor furnace, including vent..... \$16.00

For the installation or relocation of each suspended heater, recessed wall heater, or floor-mounted unit heater \$16.00

2. Appliance Vents

For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit..... \$8.00

3. Repairs or Additions

For the repair of, alteration of, or addition to each heating appliance, refrigeration, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by the Mechanical Code \$15.00

4. Boilers, Compressors, and Absorption Systems

For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW) or each absorption system to and including 100,000 Btu/h (29.3 kW) \$16.00

For the installation or relocation of each boiler or compressor over 3 horsepower (10.6kW) to and including 15 horsepower (52.7 kW) or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW) \$30.00

For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW) or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW)..... \$41.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.5 Mechanical Plan Review and Permit Fees. (Cont'd)

	For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (175 kW) or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).....	\$61.00
	For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW) or each absorption system over 1,750,000 Btu/h (512.9 kW).....	\$100.00
5.	Air Handlers	
	For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto.....	\$12.00
	Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler, or absorption unit for which a permit is required elsewhere in the Mechanical Code.	
	For each air-handling unit over 10,000 cfm (4719 L/s)	\$20.00
6.	Evaporative Coolers	
	For each evaporative cooler other than portable type	\$12.00
7.	Ventilation and Exhaust	
	For each ventilation fan connected to a single duct.....	\$8.00
	For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit.....	\$12.00
	For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	\$12.00
8.	Incinerators	
	For the installation or relocation of each domestic-type incinerator	\$20.00
	For the installation or relocation of each commercial or industrial-type incinerator.....	\$16.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.5 Mechanical Plan Review and Permit Fees. (Cont'd)

9. Miscellaneous

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories or for which no other fee is listed in the table..... \$12.00

C. *Other Inspections and Fees.*

1. Inspections outside of normal business hours, per hour (minimum charge – two hours)..... \$54.00*
2. Reinspection fees assessed under provisions of Section 305.8, per inspection \$54.00*
3. Inspections for which no fee is specifically indicated, per hour (minimum charge – one-half hour) \$54.00*
4. Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review has been completed (minimum charge – one-half hour)..... \$54.00*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages and fringe benefits of the employees involved.

2.6 Plumbing Plan Review and Permit Fees.

- A. *Plumbing Plan Review Fees.* The plan review fee for plumbing permits is 25% of the total plumbing permit fee.
- B. *Plumbing Permit Fees.*

TABLE 3-D – PLUMBING PERMIT FEES

Permit Issuance

1. For the issuance of each plumbing permit..... \$26.00
2. For issuing each supplemental permit for which the original permit has not expired, been canceled, or finalized \$8.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.6 Plumbing Plan Review and Permit Fees. (Cont'd)

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Fixtures and Vents

For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping, and backflow protection thereof)..... \$11.00

For repair or alteration of drainage or vent piping, each fixture..... \$5.00

2. Sewers, Disposal Systems, and Interceptors

For each building sewer and each trailer park sewer \$27.00

For each cesspool \$41.00

For each private sewage disposal system..... \$81.00

For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps \$22.00

Rainwater systems – per drain (inside building) \$11.00

3. Water Piping and Water Heaters

For installation, alteration, or repair of water piping or water-treating equipment, or both, each \$5.00

For each water heater including vent..... \$13.00

For vents only, see Table 3-C

4. Gas Piping Systems

For each gas piping system of one to five outlets \$7.00

For each additional outlet over five, each..... \$1.20

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.6 Plumbing Plan Review and Permit Fees. (Cont'd)

5. Lawn Sprinklers, Vacuum Breakers, and Backflow Protection Devices

For each lawn sprinkler system on any one meter, including backflow protection devices thereof \$16.00

For atmospheric-type vacuum breakers or backflow protection devices not included in Item 1:

1 to 5 devices \$13.00

Over 5 devices, each \$2.40

2 inches (50.8mm) and smaller \$13.00

Over 2 inches (50.8 mm) \$27.00

6. Swimming Pools

For each swimming pool or spa:

Public pool \$100.00

Public spa \$66.00

Private pool \$66.00

Private spa \$33.00

7. Miscellaneous

For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories or for which no other fee is listed in this code \$11.00

C. Other Inspections and Fees.

1. Inspections outside of normal business hours, per hour (minimum charge – two hours) \$54.00*

2. Reinspection fees assessed under provisions of Section 305.8, per inspection \$54.00*

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.6 Plumbing Plan Review and Permit Fees. (Cont'd)

- | | | |
|----|--|----------|
| 3. | Inspections for which no fee is specifically indicated,
per hour (minimum charge – one-half hour) | \$54.00* |
| 4. | Additional plan review required by changes, additions, or
revisions to plans or to plans for which an initial review
has been completed (minimum charge – one-half hour) | \$54.00 |

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages and fringe benefits of the employees involved.

2.7 Grading Plan Review and Permit Fees

A. *Grading Plan Review Fees.*

First Review: Per sheet (twenty-four (24) by thirty-six (36) inches (includes one back-check)	\$183.00
--	----------

B. *Other Grading Plan Review Fees.*

Additional plan review required by changes, additions, or revisions to plans or to plans for which an initial review and one back- check has been completed	\$54.00*
---	----------

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages and fringe benefits of the employees involved.

C. *Grading Permit Fees.*

TABLE 3-H – GRADING PERMIT FEES¹

1 to 1,000 cubic yards	\$80.00 for the first 100 cubic yards, <u>plus</u> \$30.00 for each additional 100 cubic yards or fraction thereof.
1,001 to 10,000 cubic yards	\$350.00 for the first 1,000 cubic yards, <u>plus</u> \$30.00 for each additional 1,000 cubic yards or fraction thereof.
10,001 to 100,000 cubic yards	\$620.00 for the first 10,000 cubic yards, <u>plus</u> \$120.00 for each additional 10,000 cubic yards or fraction thereof.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.7 Grading Plan Review and Permit Fees (Cont'd)

100,001 cubic yards or more	\$1,700.00 for the first 100,000 cubic yards, <u>plus</u> \$120.00 for each additional 100,000 cubic yards or fraction thereof.
Valuation Based Permit Option	
\$500,001.00 to \$1,000,000.00	\$3,500.00 the first \$500,000.00 plus \$5.10 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$6,150.00 for the first \$1,000,000.00 plus \$4.10 for each additional \$1,000.00, or fraction thereof

D. *Other Grading Permit Inspections and Fees.*

1. Inspection outside of normal business hours, per hour
 (minimum charge – two hours) \$54.00²
2. Reinspection fees assessed under provisions of
 Section 305.8, per inspection \$54.00²
3. Inspections for which no fee is specifically indicated,
 per hour (minimum charge – one-half hour) \$54.00

¹The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

²Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, and hourly wages and fringe benefits of the employees involved.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.8 Manufactured Home (MH) and Recreational Vehicle (RV) Space Fees.

A. *Residential.*

1. MH units on permanent foundation (each foundation):

a. Plan check fee\$46.00

B. *Manufactured Commercial and Industrial Buildings.* Valuation is calculated as for a site built structure on installation value, and fees are in accordance with Sec. 1-05.2.3, Sec. 1-05.2.4, Sec. 1-05.2.5, and Sec. 1-05.2.6.

C. *Other Inspections and Fees*..... See Sec. 1-05.2.3.C

2.9 Demolition Permit Fees. Same as Building Permit Fees.

2.10 Swimming Pool and Spa Plan Review and Permit Fees. Same as Building Plan Review and Permit Fees.

2.11 Solar Permit Fees. Same as Building Permit Fees.

2.12 Fire Sprinkler Plan Review and Permit Fees. Same as Building Plan Review and Permit Fees.

2.13 Wall and Fence Plan Review and Permit Fees. Same as Building Plan Review and Permit Fees.

2.14 Fire Alarm Plan Review and Permit Fees. Same as Building Plan Review and Permit Fees. (Does not include electrical permits, if applicable.)

2.15 Tent and Canopy Plan Review and Permit Fees.

A. *Tent and Canopy Plan Review Fees.*

1. If occupancy type is M-1, plan review fees are 50% of permit fee.
2. If occupancy type is other than M-1, plan review fees are 65% of permit fee.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.15 Tent and Canopy Plan Review and Permit Fees. (Cont'd)

B. *Tent and Canopy Permit Fees.*

1. Same as building permit fees based on valuations in table:

<u>Size</u>	<u>Square Footage</u>	<u>Canopy Valuation</u>	<u>Tent Valuation</u>
20 x 20	400	No Building Permit Required	Minimum \$618
20 x 40	800	No Building Permit Required	Minimum \$618
30 x 30	900	Minimum \$618	Minimum \$618
30 x 50	1,500	Minimum \$618	Minimum \$618
40 x 40	1,600	\$741.60	\$964.10
40 x 60	2,400	\$741.60	\$964.10
60 x 60	3,600	\$2,017.80	\$2,254.70
60 x 80	4,800	\$2,017.80	\$2,254.70
60 x 100	6,000	\$2,017.80	\$2,254.70
100 x 100	10,000	\$4,326.00	\$4,696.80

NOTE: Fees in the table above do not include applicable electrical fees.

2.16 Installation and Removal Fees for Gasoline, Fuel, or Other Tanks.

A. *Installation.*

Mechanical Permit.....	\$26.00
<u>plus</u>	
For each tank installed	\$109.00

B. *Removal.*

1 Tank (\$1,000 valuation).....	\$42.00
2 Tanks (\$1,500 valuation).....	\$59.00
3 Tanks (\$2,000 valuation).....	\$76.00
4-5 Tanks (\$2,500-\$3,000 valuation)	\$91.00

Please contact the Development Services Department (DSD) for fees for the removal of more than five tanks.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2.17 RESERVED

2.18 Administrative Fees.

- A. *Plant Registration Fees.* Every applicant for registration will pay a fee of \$1,021.00 for plants under 1,000,000 square feet and \$2,042.00 for plants over 1,000,000 square feet at the time of filing.
- B. *Building Official Appeal Filing Fee.* Every applicant will pay a nonrefundable fee \$120.00 when filing. Fee for variance to use IPC Section 504.6 in lieu of UPC 608.5 \$16.00.
- C. *Board of Appeals Filing Fee.* Every applicant will pay a nonrefundable fee of \$240.00 when filing.
- D. *Certificate of Occupancy Fee.* Every Certificate of Occupancy issued for an address which has not had a permit issued pursuant to Chapter 3 of the Building Safety Administrative Code within the preceding 360 days requires a fee of \$60.00.

2.19 Miscellaneous Fees.

A. *Copy and Print Charges.*

- | | | |
|--|-------------------|--------|
| 1. Xerox..... | One Copy..... | \$1.00 |
| | Additional Copies | \$0.25 |
| 2. Blue Line Reproduction Fee
for All Sepias Submitted..... \$1.50 per page | | |
| 3. E-Plans, per sheet.....\$4.50 | | |
| 4. 16mm film.....\$1.50 per copy | | |
| 5. 33mm film.....\$2.00 per copy | | |

B. Records Research: *Charge for Time.* "Commercial Purposes"
(Monetary gain from use of document):

- | | |
|--|--------|
| Per 1/2 hour | \$4.00 |
| Per hour | \$8.00 |
| Per minute..... | \$0.13 |
| 1. Advanced Payment Account | |
| (APA) Processing In Person..... | \$0.50 |
| (APA) Processing – Telephone or Fax request..... | \$4.50 |
| Advanced Payment Account | |
| (APA) Mail Fee..... | \$1.50 |

2.19 Miscellaneous Fees. (Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2. Computer Generated Reports

Standard Weekly Report, each	\$25.00
Standard Monthly Report, each	\$40.00
Standard Yearly Report, each	\$200.00
Customization or analysis of report information, per hour.....	\$50.00
(1 hour minimum fee)	

¹See Sec. 2.19.G

CHANGE OF ZONING FEES.

3.1 General, Applicable to All Fees.

- A. All fees are collected at the time the application is filed.
- B. All fees are payable to the City of Tucson.
- C. Development Services Department fees zoning fees may be waived for a governmental agency by the City Manager.
- D. Any request to vary, waive, or appeal a Development Services Department fee is decided by the Mayor and Council.
- E. Requests by potential applicants for notification lists for the various review procedures, for their private use, shall be accompanied by a fee which is assessed according to the following schedule. If the list was requested prior to the filing of an official application for a Development Services review process, which requires public notification, the notification fee will not be charged at the time of application provided the list is less than thirty (30) days old at the time of application.
 - 1. Notification area surrounding the subject site \$200.00
- F. Applications for all reviews, except Home Occupation – Day Care, shall include payment of a mMicrofiche fee \$15.00 or 1% of total filing fee, whichever is greater
- G. In calculating fees which are based on acreage, the acreage is to be rounded off to the nearest hundredth of an acre.
- H. Variable Fees. In the fee schedule, when a fee amount is listed as variable, please call Development Services at 791-5550 for the current fee. These fees are listed as variable, because they can vary from case to case or because they are fees paid to an outside vender. For example:

3.1 General, Applicable to All Fees. (Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

1. *Current Aerial Photograph Fee.* This fee is based on an annual contract with a private aerial photography firm.
2. *Legal Advertisement.* This fee covers the cost of advertisement in a newspaper of general circulation and is dependent upon the amount charged by the outside vender.
3. *Ordinance Display Ad or Resolution Display Ad.* This fee covers the cost of publishing the ordinance or resolution in a newspaper of general circulation, should the ordinance or resolution be adopted.

3.2 Change of Zoning– Initial Application. Change of zoning applications require payment of a fee which includes the staff review fee, current aerial photo fee, Zoning Examiner public hearing fee, ordinance display ad fee, and microfiche fee. On change of zoning requests to multiple zones, the staff review fee is calculated separately for each requested zone. Those amounts derived by the separate calculations are then added together, and the sum is the required fee.

Change of Zoning

A. Staff Review. Change of Zoning to:

SR, RX-1, RX-2, IR, RH, SH	0-30 acres	\$800.00 plus	\$100.00 per acre
Greater than	30 acres	\$1,500.00 plus	\$75.00 per acre
R-1, MH-1, P, O-1	0-30 acres	\$2,000.00 plus	\$175.00 per acre
Greater than	30 acres	\$2,750.00 plus	\$150.00 per acre
R-2, MH-2, RV, O-2, NC, RVC	0-30 acres	\$2,500.00 plus	\$250.00 per acre
	30 acres	\$4,000.00 plus	\$200.00 per acre
R-3, O-3, C-1, MU	0-30 acres	\$3,250.00 plus	\$300.00 per acre
	30 acres	\$4,750.00 plus	\$250.00 per acre
C-2, C-3, OCR-1, OCR-2, PI, I-1, I-2	0-30 acres	\$4,000.00 plus	\$600.00 per acre
	30 acres	\$7,000.00 plus	\$500.00 per acre
Planned Area Development (PAD) Zone		\$20,000.00 plus	\$200.00 per acre

- B. Current Aerial Photograph – For All Zones Variable¹
- C. Zoning Examiner Public Hearing Fee for all zones includes the following.
1. Legal Advertisement..... Variable¹
 2. Notification of Property Owners around Project Site \$200.00

3.2 Change of Zoning– Initial Application (Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

- D. Ordinance Display Ad. All adopted change of zoning ordinances are required to be published in a newspaper of general circulation. To cover that cost, change of zoning applications are to include the payment of a fee as follows.

For All Zones Variable¹

- E. Microfiche Fee\$15.00

3.3 Change of Zoning Fees – Time Extension Request. A request to extend the time period that is required for complying with conditions of change of zoning requires payment of a fee as follows.

- A. No Hearing Required The fee is equal to 33% of the staff review fee that would be required for a new change of zoning case under the current fee schedule

- B. Hearing Required The fee is equal to 75% of the staff review fee that would be required for a new change of zoning case under the current fee schedule, plus

1. Current Aerial Photograph..... Variable²

2. Legal Advertisement..... Variable²

3. Notification of Property Owners around Project Site
For All Zones \$200.00

4. Microfiche Fee \$15.00

3.4 Change of Zoning Fees – Change to a Request (including the PAD Zone). A request to amend the concept plan which was submitted as part of a change of zoning application, the conditions of change of zoning, or the approved development plan shall include payment of fees as follows.

- A. *Minor Change, Development Services Director Decision, to a change of zoning Concept Plan, change of zoning Condition, and/or Approved change of zoning Development Plan/Subdivision Plat.*

1. Staff Review\$750.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

3.4 Change of Zoning Fees – Change to a Request (including the PAD Zone) (Cont'd).

B. Minor Change, Mayor and Council Decision, to a change of zoning Concept Plan, change of zoning Condition, and/or Approved Development Plan/Subdivision Plat.

1.	Staff Review	\$1,000.00
2.	Current Aerial Photograph.....	Variable ³
3.	Notification of Property around Project Site	\$200.00
4.	Microfiche Fee	\$15.00

²See Sec. 2.19.G

C. *Major Change, Mayor and Council Decision, to a change of zoning Concept Plan, change of zoning Condition, and/or Approved change of zoning Development Plan/Subdivision Plat Requiring a Public Hearing.*

1.	Staff Review Fees are equal to the staff reviews fees for a new change of zoning under the current fee schedule.	
2.	Current Aerial Photograph.....	Variable ³
3.	Legal Advertisement.....	Variable ³
4.	Notification of Property Owners around Project Site	\$200.00
5.	Microfiche Fee	\$15.00

D. *Change of zoning Requests Remanded, by the Mayor and Council, to the Zoning Examiner for a New Public Hearing.* Payment of a fee equal to the staff review fee and public hearing fee that would be necessary for a new change of zoning under the current fee schedule is required.

3.5 Change of Zoning Fees – Request for Rehearing or Continued Hearing. A request by the applicant for a new change of zoning hearing or for a delay in an advertised hearing (which necessitates readvertising) requires payment of a new public hearing fee as listed for the Zoning Examiner Public Hearing, including the legal advertisement and notification fees.

3.6 Change of Zoning – Refunds on Applications. Fees, or portions thereof, which are paid as part of the change of zoning application, are refunded when an application is withdrawn, as follows.

<u>Status Of Case</u>	<u>Amount of change of zoning Fee Refund</u>
Minimal Amount of Staff Review (Within 20 Days of Application)	100%, of the staff review fee, the Zoning Examiner public hearing fee, and the ordinance display ad fee

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

3.6 Change of Zoning – Refunds on Applications (Cont'd)

After Staff Review	60% of the staff review fee, 100% of the Zoning Examiner public hearing fee, and 100% of the ordinance display ad fee
After Staff Report but Prior to Public Hearing Ad	40% of the staff review fee, 100% of the Zoning Examiner public hearing fee, and 100% of the ordinance display ad fee
After Public Hearing Ad but Prior to Public Hearing.	25% of the staff review fee and 100% of the ordinance display ad fee
After Zoning Examiner Public Hearing	100% of the ordinance display ad fee

3.7 Plan Amendment Fees. Requests to amend adopted plan policies applicable to a specific site require payment of a fee which includes the staff review fee, public hearing fee, resolution display ad fee, and microfiche fee as follows.

- A. Staff Review\$500 or 40% of the staff review fee that would be required for a change of zoning case under the current fee schedule, whichever is greater
- B. Public Hearing.
 - 1. Legal Advertisement.
 - a. Neighborhood or area plan amendment (two hearings) Variable¹
 - b. *General Plan* amendment (three hearings) Variable¹
 - 2. Notification of Property Owners and Neighborhood Associations shall be to one of the following.
 - a. Neighborhood or area plan amendment – Notification of affected neighborhood associations and property owners within 300' of amendment site Variable¹
 - b. *General Plan* amendment – Notification of all registered neighborhood associations Variable¹

3.7 Plan Amendment Fees (Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

- C. Resolution Display Ad Variable¹
- D. Microfiche Fee (see Sec. 1-05.3.1.F).
- E. Appeal of Planning Director Decision on a Plan Amendment\$0

¹See Sec. 3.1.H.

1-05.4.0 Zoning Review Fees

1-05.4.1 Board of Adjustment (B/A) Fees.

- A. *Variances Involving Construction.* Applications for variances involving construction require payment of a fee. The fee shall include the staff review fee, legal advertisement fee, notification fee, and microfiche fee.

- 1. Staff Review

- a. Residential projects (Single Family, Duplex).....\$200.00
 - b. Non-residential projects (3-4 Family and above,
Commercial, Industrial).....\$600.00

- 2. Legal Advertisement..... Variable⁴

- 3. Notification of Property Owners around Project Site \$200.00

- 4. Microfiche Fee\$15.00

- B. *Variances Not Involving Construction.* Applications for variances not involving construction, and Appeals of Zoning Administrator determinations require payment of a fee. The fee shall include the staff review fee, legal advertisement fee, notification fee, and microfiche fee.

- 1. Staff Review\$300.00

- 2. Legal Advertisement..... Variable⁴

- 3. Notification of Property Owners around Project Site \$200.00

- 4. Microfiche Fee\$15.00

- C. *Request for Continuance or Rehearing.* Each request granted for continuance or rehearing of a matter not initiated by the Board requires payment of a fee which includes the following.

- 1. Legal Advertisement..... Variable⁴

⁴See Sec. 2.19.G.

1-05.4.1 Board of Adjustment (B/A) Fees.(Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

2. Notification of Property Owners around Project Site \$200.00

D. *General Application on Board of Adjustment Fees.*

1. More than one variance may be requested in the same application for the same fee.
2. No fee, or portion thereof, is refundable after a case has been advertised and notice mailed to property owners.

4.2 Design Development Option (DDO) (Lot Development Option) Fees.

A. *Residential Development.*

1. Single Yard Modification.
 - a. Per single-family lot, attached or detached unit.....\$160.00
 - b. Notification to Property Owners around project site\$75.00
 - c. For each multifamily unit for which a modification is requested.....\$320.00
 - d. Notification to Property Owners around project site\$75.00
2. Multiple Yard Modification.
 - a. Per single-family lot, attached or detached unit.....\$224.00
 - b. Notification to Property Owners around project site\$75.00
 - c. For each multifamily unit for which a modification is requested.....\$320.00
 - d. Notification to Property Owners around project site\$75.00

B. *Nonresidential Development.*

1. Single Yard Modification. Per single nonresidential structure on one lot.....\$160.00
 - a. Notification to Property Owners around project site.....\$75.00
2. Multiple Yard Modification. Per single nonresidential structure on one lot.....\$224.00
 - a. Notification to Property Owners around project site.....\$75.00

4.2 Design Development Option (DDO) (Lot Development Option) Fees.(Cont'd)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

- C. *Wall and Fence Height Modification, Per Lot*.....\$200.00
 - a. Notification to Property Owners around project site\$75.00
- D. Applications pursuant to LUC Sec. 5.3.5
 - 1. Staff/DRB Review.....\$300.00
 - 2. Microfiche Fee (see Sec. 1-05.3.1.F).
- E. All DDO Applications – Notification to property owners within 50’ of the Project Site and neighborhood association Variable⁵

4.3 Substitution of Nonconforming Use (SNU) Fees.

- A. If Hearing is Not Required\$320.00
- B. If Hearing is Required.....75% of what the staff review fee for a change of zoning would be if this were a change of zoning to the applicable zone that is normally needed for the proposed use, plus
 - 1. Legal Advertisement.....Variable⁶
 - 2. Current Aerial Photograph..... Variable⁶
 - 3. Notification of Property Owners around Project Site \$200.00
 - 4. Microfiche fee.....\$15.00

4.4 Temporary Use Permit (TUP) Fees.

- A. Residential\$80.00
- B. Nonresidential\$160.00
- C. Appeal of Decision to the Board of Adjustment.
 - 1. Staff Review \$200.00
 - 2. Legal Advertisement..... Variable⁶
 - 3. Notification of Property Owners around Project Site \$200.00
 - 4. Microfiche Fee \$15.00

⁶See Sec. 2.19.G.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

4.5 Special Exception Land Use Fees. There are three types of Special Exception Land Use processes. Payment of fees for each process is as follows.

A. *DSD Director Decision.* The required fee includes payment of the staff review fee, notification fee, and microfiche fee.

1. Staff Review\$250.00
2. Notification of Property Owners around Project Site \$200.00
3. Microfiche Fee\$15.00

B. *Zoning Examiner Decision.* The required fee includes payment of the staff review fee, notification fee, legal advertisement fee, aerial photo fee, and microfiche fee.

1. Staff Review The fee is equal to 75% of
what would be required for a
change of zoning request
based on the
zoning of the property
2. Legal Advertisement..... Variable⁷
3. Notification of Property Owners around Project Site \$200.00
4. Current Aerial Photograph..... Variable⁷
5. Microfiche Fee\$15.00

4.6 Hillside Development Zone (HDZ), Scenic Corridor Zone (SCZ), Environmental Resource Zone (ERZ) and Watercourse Amenities, Safety and Habitat (WASH) Review Fees

- | | |
|---|-----------------------|
| A. Staff Review | \$300.00 |
| B. Notification to Property Owners | Variable ⁵ |
| C. Appeal of Decision to Mayor and Council | \$175.00 |
| <u>plus</u> | |
| 1. Notification to Property Owners around Project Site..... | \$200.00 |
| 2. Microfiche Fee..... | \$15.00 |

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

4.6 Hillside Development Zone (HDZ), Scenic Corridor Zone (SCZ), Environmental Resource Zone (ERZ) and Watercourse Amenities, Safety and Habitat (WASH) Review Fees
(Cont;d)

D. Public Hearing (if required by Mayor and Council) for Consideration of Appeal.

- | | |
|--|-----------------------|
| 1. Legal Advertisement | Variable ⁵ |
| 2. Notification to Property Owners around Project Site | \$200.00 |
| 3. Microfiche Fee | \$15.00 |

4.7 Historic Preservation Zone (HPZ) Review Fees.

- A. Minor Review, including Demolition Applications for Intrusions\$100.00
- B. Historic Preservation Zone Review\$160.00
- C. Demolition Applications Decided by the Planning Director\$160.00

D. Demolition Applications and Any Other Applications Decided by the Mayor and Council.

1. Staff Review \$500.00

⁸See Sec. 2.19.G.

2. Public Hearing Fee includes the following.

- a. Legal Advertisement..... Variable⁹
- b. Notification of Property Owners around Project Site.....\$200.00

- E. Appeal of Development Services Director's Decision\$160.00

- F. Microfiche Fee\$15.00

4.9 Development Review Board (DRB) Fees.

Applications Requiring DRB Review, with the Exception of
Project Design Option Applications\$160.00

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-05.0
DEVELOPMENT REVIEW FEE SCHEDULE**

4.9 Development Review Board (DRB) Fees. (Cont'd)

4.10	<u>Day Care – Home Occupation (except Child Care) Application Fee</u>	\$160.00
4.11	<u>Certification of Zoning Fee</u>	\$135.00
4.12	<u>Confirmation of Nonconforming Use Fee</u>	\$200.00
4.13	<u>Optional Dispute Resolution Process Fee</u>	Subject to current City contract

1-05.5.0 **APPEAL FEES**

1-05.5.1 Appeal of Decision to the Board of Adjustment.

1.	Legal Advertisement	Variable ⁹
2.	Notification as required	Variable ⁹

1-05.5.2 Appeal of Decision to the Mayor and Council

A.	Legal Advertisement	Variable ⁹
B.	Notification as required	Variable ⁹

1-05.6.0 **PRIVATE IMPROVEMENT FEES**

Applications for Private Improvement Agreements shall pay a fee of five (5) percent of the estimated cost of the improvement as certified by the engineer of record for the applicant provided that the estimated cost is accepted and approved by the DSD. The fee for a Private Improvement Agreement shall be paid prior to final approval of the agreement by the City.

⁹See Sec. 2.19.G.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-06.0
PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES**

PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES

1-06.1.0	PURPOSE
1-06.2.0	DEFINITIONS
1-06.3.0	GENERAL
1-06.4.0	APPENDIX
1-06.5.0	RESPONSIBILITY FOR REVIEW
EXHIBIT I	DIAGRAM OF PAD ZONE REZONING PROCESS

1-06.0.0 PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES.

1-06.1.0 PURPOSE. This Standard is established to provide supporting information for procedures and standards which guide the preparation, review, adoption, and implementation of rezoning applications to the Planned Area Development (PAD) zone as provided in Sec. 2.6.3, Sec. 5.3.2.3, and Sec. 5.4.2.4 of the Tucson *Land Use Code (LUC)*.

1-06.2.0 DEFINITIONS. Definitions for words used in this Standard are found in the Development Standards Glossary or in Sec. 6.2.0 of the *LUC*.

1-06.3.0 GENERAL.

3.1 Land Use Regulations. A PAD zone shall be identified as a Planned Area Development (PAD) District and may have land use regulations separate and distinct from the *LUC* and any other PAD. Where a provision in a PAD varies from the *LUC*, the PAD shall govern.

3.2 Establishing a PAD District. A PAD District is established through a Type IV Legislative Procedure, Sec. 5.4.2.4 of the *LUC*.

A. A PAD District is established for an area upon adoption by ordinance by the Mayor and Council of a precise plan and development regulations.

B. Each PAD District must be in compliance with the adopted *General Plan* and applicable area and neighborhood plans.

3.3 Initiation of a PAD District. The consideration of a PAD District is initiated by filing an application with the Planning Department to rezone the property to the PAD zone. Such application may be filed by the owners of the subject property, an agent for the property owners, or the Mayor and Council. The application will be accepted for processing only if the following can be met.

A. The site is under single ownership or control.

B. The site's minimum land area is at least forty (40) acres or, if located in the Downtown Redevelopment District as defined in Sec. 6.2.4 of the *LUC*, a full city block.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-06.0
PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES

3.3 Initiation of a PAD District. (Cont'd)

- C. The PAD District land area shall be contiguous and in such configuration as to accommodate a well-integrated project.
- D. The Mayor and Council may authorize the initiation of a PAD District of less than forty (40) acres that is consistent with the intent of the PAD zone.

3.4 Neighborhood Meetings. In accordance with Sec. 5.4.5.2 of the *LUC*, the applicant is required to offer to meet with the owners of property surrounding the subject rezoning site prior to filing a rezoning application with the City. The office of the Council Ward in which the rezoning site is located is also to be notified of the meeting. To comply with the offer to meet requirement, the offer is to be in writing and is to specify the date, time, location, and purpose of the meeting. The meeting should be held at a location within a reasonable distance of the rezoning site and scheduled in the evening or on a weekend to encourage greater participation. The written invitation should be mailed so that it is received at least one week prior to the meeting. The invitation is to be sent specifically to: (1) the owners of any property that is, at a minimum, within three hundred (300) feet of the rezoning site; and (2) all neighborhood groups that cover an area which falls within one (1) mile of the rezoning site and are registered with the City's Citizen and Neighborhood Services Office.

3.5 Application. Prior to the submittal of a rezoning application to a PAD zone for review and processing by City staff, the applicant shall attend at least one (1) presubmittal conference conducted by the Planning Director. The Planning Director may decide that additional presubmittal meetings are necessary.

Following the presubmittal conference, the Planning Director shall make a determination as to whether the proposed rezoning to the PAD zone is in compliance with the adopted *General Plan* and area and neighborhood plans.

3.6 PAD Zone Documents. A rezoning application to the PAD zone shall include the following elements in the form of either a map(s), text, or both, in conformance with Sec. 5.4.2.4.C, Sec. 5.4.5.3, and Sec. 2.6.3.6 of the *LUC*.

- A. Introduction and Policy. A description of the purpose, scope, main concepts, and goals of the PAD District.
- B. Site Analysis.
- C. Plan Proposal.

3.7 Submittal and Staff Review Process. Draft PAD District Submittal - Following the Planning Director's determination that an amendment to the *General Plan* or area and neighborhood plans is not required, the draft PAD District application shall be submitted to the Planning Director for processing. Within one (1) week of its receipt, the Planning Department determines if the application is complete and acceptable. In addition to the information listed in Sec. 1-06.3.6, the application shall include the required fees in accordance with Development Standard 1-05.0, Development Review Fee Schedule, together with a statement of property ownership and control.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-06.0
PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES

3.7 Submittal and Staff Review Process. (Cont'd)

Once the PAD rezoning application has been reviewed for conformance with Sec. 5.4.5.3 of the *LUC* and determined to be acceptable, the PAD District documents are forwarded for agency review and comment. See ***Exhibit I*** for procedural time line.

Review agencies review the rezoning application within thirty-five (35) days of its acceptance and forward their comments to the Planning Director. These comments are provided to the applicant.

The applicant will provide the requested number of revised copies of the project to the Planning Department incorporating requested changes. These changes should be discussed with the reviewing agencies. As part of the resubmittal, a cover letter shall explain how the revisions were made and which requested changes were not addressed and why.

3.8 Zoning Examiner Public Hearing and Recommendation. Within thirty (30) days after the review agencies recommend approval, the PAD rezoning request is scheduled for a public hearing before the Zoning Examiner.

The Planning Department prepares and files a report with facts, findings, and a recommendation with the Zoning Examiner and forwards a copy to the applicant at least fifteen (15) days prior to the public hearing.

The Planning Department shall notify by mail all property owners within a minimum of three hundred (300) feet of the proposed PAD District and neighborhood and homeowners' associations that are registered with the City whose boundaries are within one (1) mile of the PAD District. The notice will include the time and place of the public hearing, not less than fifteen (15) nor more than thirty (30) days, prior to the date of the public hearing. Notice shall also be published in a newspaper of general circulation in the city of Tucson at least fifteen (15) days prior to the date of the public hearing. The Planning Director may require that additional individuals be notified.

The Zoning Examiner conducts a public hearing on the rezoning request and issues a report with a summary of findings and recommendation to the applicant and other interested parties within five (5) days of the conclusion of the public hearing.

Fourteen (14) days after the conclusion of the public hearing, the Zoning Examiner shall transmit a final report complete with a record of the public hearing, findings, conclusion, and recommendation to the Mayor and Council.

3.9 Mayor and Council Decision. The rezoning to the PAD zone is considered by Mayor and Council. The Mayor and Council may approve the rezoning or decide to hold a public hearing before approving, denying, or continuing the rezoning request. The Mayor and Council may also remand the rezoning request back to the Zoning Examiner.

3.10 Effectuation of an Adopted District. The ordinance becomes effective thirty (30) days after the Mayor and Council adopts the rezoning request to the PAD zone.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-06.0
PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES

- 3.11 PAD District Implementation. The PAD District is implemented by the recording of a final subdivision plat processed in accordance with the procedures of the *LUC*. PAD Districts may establish additional implementation procedures, provided such methods are not in conflict with required procedures and are fully described by the PAD District.
- 3.12 Development Plan Review. All proposed construction requires review and approval of a development plan in accordance with Sec. 5.3.8 of the *LUC*. The Planning Director is granted the authority to approve PAD District development plans.
- 3.13 Enforcement. Regulations adopted for each PAD District are enforced in the same manner as provided in Sec. 5.1.4.4 of the *LUC*.
- 3.14 Interpretation. The Planning Director shall interpret a PAD zone per Sec. 5.1.4 of the *LUC*. Interpretations of *LUC* provisions may be applied to similar PAD zone provisions.
- 3.15 Changes to an Adopted PAD District.
- A. Amendments to an adopted PAD District rezoning ordinance shall be in substantial conformance with the objectives of the PAD District and with *General Plan* policies.
 - B. Amendment Application.
 - 1. An amendment to a PAD District may be initiated by the property owner, the owner's agent, or the Mayor and Council upon submittal of a written application to amend one (1) or more of the PAD District regulations.
 - 2. The application shall be accompanied by a statement documenting the need for the amendment.
 - 3. The Planning Director shall determine if the amendment would result in a substantial change in the PAD District.
 - 4. If the request is determined to be a substantial change, the Planning Director shall schedule the amendment request before the Zoning Examiner for public hearing and recommendation to the Mayor and Council.
 - 5. The Planning Director may administratively approve nonsubstantial changes. Requests to modify regulations which are determined to be nonsubstantial are considered by the Planning Director. Refer to Sec. 2.6.3.11 of the *LUC*.

1-06.4.0 APPENDIX. Not required.

1-06.5.0 RESPONSIBILITY FOR REVIEW. The Director of the Planning Department reviews this Standard annually in the month of July or as necessary.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-06.0
PLANNED AREA DEVELOPMENT (PAD) ZONE REZONING PROCEDURES**

PLANNED AREA DEVELOPMENT SUBMITTAL TO THE PLANNING DEPARTMENT

7 DAYS

PLANNING DIRECTOR DETERMINES PLAN COMPLIANCE

30 DAYS FOR AGENCY REVIEW

AGENCY REVIEW COMMENTS MADE AVAILABLE TO APPLICANT

*A REVISED PAD PLAN WILL BE
SUBMITTED TO REVIEW AGENCIES FOR
RE-REVIEW IF REVISIONS ARE NECESSARY*

REVIEW AGENCY APPROVAL

*15 DAYS - STAFF REPORT IS PREPARED
FOR ZONING EXAMINER'S HEARING*

NOTICE OF ZONING EXAMINER'S PUBLIC HEARING

15 DAYS NOTIFICATION PERIOD

ZONING EXAMINER'S PUBLIC HEARING

*5 DAYS - ZONING EXAMINER PROVIDES
"SUMMARY OF FINDINGS" REPORT*

*7 DAYS - ZONING EXAMINER PROVIDES
FINAL REPORT*

M/C MEETING/HEARING FOR CONSIDERATION OF ORDINANCE ADOPTION

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

REZONING PROCEDURES

1-07.1.0	PURPOSE
1-07.2.0	DEFINITIONS
1-07.3.0	APPLICABILITY
1-07.4.0	PROCEDURES
1-07.5.0	RESPONSIBILITY FOR REVIEW
1-07.6.0	EXHIBITS

1-07.0.0 REZONING PROCEDURES.

1-07.1.0 PURPOSE. This Standard is established to provide supporting information for the rezoning procedures adopted in the Tucson *Land Use Code (LUC)*. The procedures were established to provide the minimum amount of time necessary for Planning Department staff to review and process rezoning applications, while providing adequate time for applicants to comply with conditions of rezoning.

1-07.2.0 DEFINITIONS. Definitions used in this Standard are found in the Development Standards Glossary or in Sec. 6.2.0 of the *LUC*.

1-07.3.0 APPLICABILITY. The following information and requirements apply to all rezoning requests, including those in process, with the exception of rezonings to the Planned Area Development (PAD) zone. For information on processing a PAD zone application, refer to *LUC* Sec. 5.4.2.4 for the Type IV Legislative Procedure and Development Standard 1-06.0.

Exception: If a property is zoned O-3 and is proposed for rezoning to the R-3 zone, the applicant shall be exempt from rezoning fees and the preliminary development plan submittal requirements, provided the property was zoned R-4 on June 30, 1995. In addition, the staff report shall not recommend dedication of right-of-way, improvements, or any other similar exactions that are not standard requirements applied through the building permit process for projects to be developed under existing zoning. This exception expires on July 1, 2000. The applicant is advised that the application is processed as a rezoning which includes public notification, a public hearing, and the associated fees. A preliminary development plan would be helpful in addressing questions arising during the rezoning process.

1-07.4.0 PROCEDURES. Rezoning requests are processed through either the Type II Legislative Procedure, as provided by the *LUC* in Sec. 5.4.2.2, or the Type III Legislative Procedure, as provided by the *LUC* in Sec. 5.4.2.3. The applicant may request the use of either the Type II or III procedure; however, should the Type III procedure, "early ordinance," be requested, staff may, upon evaluation of the submitted material, recommend against the adoption of the "early ordinance."

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

1-07.4.0 PROCEDURES. (Cont'd)

A Type II Legislative Procedure, Sec. 5.4.2.2, is the standard rezoning procedure and the one used for rezoning requests when conditions of rezoning are satisfied prior to Mayor and Council consideration of adoption of a rezoning ordinance. This procedure is generally applied to rezoning requests where the proposed development is conceptual and specific development information cannot be provided.

A Type III Legislative Procedure, Sec. 5.4.2.3, is the rezoning procedure used for rezonings when an ordinance is adopted prior to compliance with conditions of rezoning. This procedure is also known as the “early ordinance” process. The Mayor and Council, in considering the application, is not obligated to approve or deny the ordinance at this time. They may choose to delay approval of an ordinance until the rezoning conditions have been met. Generally, the “early ordinance” procedure is utilized for projects which provide a fully-dimensioned development plan drawn in accordance with the requirements of Development Standard No. 2-05.0 and includes specific information on building size and setbacks; projected tenants (by use); compliance with motor vehicle and bicycle parking, landscaping and screening, and pedestrian access requirements; architectural design; and any other measures proposed for mitigation of negative impacts on surrounding properties.

The Type II and the Type III Legislative Procedures are identical, except for the application requirements and the point in the process at which an ordinance is presented to Mayor and Council for consideration. The following provides additional clarification to the procedures as delineated in the *LUC*.

- 4.1 Preapplication Conference. The applicant and/or representative is required to meet with staff prior to submitting a rezoning application. It is recommended, but not required, that the owner, or prospective owner, and his or her representative attend this meeting. The preapplication conference format was established to acquaint the applicant with adopted City plans, policies, regulations, procedures, and other information that will assist the applicant in determining if a rezoning application should be filed. Whether an amendment to the applicable subregional, area, or neighborhood plan is required before a rezoning application can be accepted will also be discussed. Submittal requirement information will be discussed during the preapplication conference. The submittal requirements are based on the applicable subregional, area, or neighborhood plan requirements; the project’s relationship to washes, trails, resource corridors, and certain public preserves; and the option chosen under the Native Plant Preservation Ordinance (NPPO). The submittal requirements are also affected by whether a Type II or Type III rezoning procedure is chosen by the applicant. For specific submittal information, refer to Sec. 1-07.4.3 of this Standard. Since this is a preapplication conference and staff is being appraised of the request for the first time, staff comments will not be detailed but will provide enough information for the applicant to proceed to the next step.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

- 4.2 Neighborhood Meeting. In accordance with Sec. 5.4.5.2 of the *LUC*, the applicant is required to offer to meet with the owners of property surrounding the subject rezoning site prior to filing a rezoning application with the City. The office of the Council Ward in which the rezoning site is located is also to be notified of the meeting. To comply with the offer to meet requirement, the offer is to be in writing and is to specify the date, time, location, and purpose of the meeting. The meeting should be held at a location within a reasonable distance of the rezoning site and scheduled in the evening or on a weekend to encourage greater participation. The written invitation should be mailed so that it is received at least one week prior to the meeting. The invitation is to be sent specifically to: (1) the owners of any property that is, at a minimum, within three hundred (300) feet of the rezoning site; and (2) all neighborhood groups that cover an area which falls within one (1) mile of the rezoning site and are registered with the City's Citizen and Neighborhood Services Office.
- 4.3 Application. Rezoning application packets are available from the Planning Department. To initiate the rezoning process, submit applications and accompanying materials to the Planning Department. Incomplete or inaccurate applications will not be accepted, nor will any application in which the preapplication conference or neighborhood meeting requirements have not been met.

The following documents and information shall be submitted upon application. The types of documents and the specific number of copies required of each of the documents is listed in the rezoning application packet.

- A. *Application Form.* The rezoning application form, which is available at the Planning Department, is to be completed, including the required signatures. If the applicant is not the property owner, a letter from the property owner authorizing the applicant to act as the agent may be submitted in lieu of the owner's signature.
- B. *Fees.* Fees, per Development Standard 1-05.0, shall be submitted with the application. Checks are made payable to the "**City of Tucson.**" Planning Department staff will assist with fee calculations.
- C. *Neighborhood Meeting Information.* Written proof of the offer to meet with the surrounding property owners, the meeting attendance sheet, and documentation of the results of the meeting are required. This would include the meeting notification letter, the mailing list, and the minutes of the meeting. The minutes should include any concerns raised at the meeting and the applicant's response to them, if any.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.3 Application. (Cont'd)

D. *Preliminary Development Plan.*

1. *Type II Legislative Procedure.* Submittal requirements for a Type II Legislative Procedure include a preliminary development plan for the purpose of providing the general public and staff with information on the proposed use and development of the subject property. While the plan is conceptual in nature, it should contain appropriate and sufficient information for the public, staff, Zoning Examiner, City Manager, and Mayor and Council to adequately assess the impacts of the proposed development. For specific information on the preliminary development plan, refer to ***Exhibit I.***
2. *Type III Legislative Procedure.* Submittal requirements for a Type III Legislative Procedure ("early ordinance") include a preliminary development plan drawn in accordance with Development Standard No. 2-05.0. The preliminary development plan, in this situation, is to show that the development will comply with regulations by providing specific detailed information, such as, but not limited to, building size, setbacks, and land use; compliance with motor vehicle and bicycle parking requirements, landscaping and screening regulations, and pedestrian and trash dumpster access; architectural design; and any proposed measures to mitigate negative impacts the proposed development may have on surrounding properties. Multiphased projects generally do not qualify for an "early ordinance" since specific information is not available.

E. *General Site Inventory and Design Compatibility Report.* A General Site Inventory and Design Compatibility Report is required for all rezoning requests. This report should include information which addresses all relevant issues raised at the neighborhood meeting and the design issues identified in the subregional, neighborhood, and area plans applicable to the property to acknowledge existing conditions. For specific requirements, refer to ***Exhibit II.***

F. *Environmental Resource Report (ERR).* An Environmental Resource Report (ERR) is required for rezoning requests located in certain plan areas, along any designated resource corridor, within one (1) mile of any public preserve, or by the Tucson Stormwater Management Study. An ERR is also required if the set aside option is used to comply with the NPPO. It can also be used as the basis of the Native Plant Inventory and Native Plant Preservation Plan if prepared in sufficient detail. The public preserve must involve: (1) sensitive terrain, (2) significant wildlife areas, or (3) natural water courses or drainageways which have been identified by a land use plan or by the Critical and Sensitive Biological Communities (Shaw) Map for preservation or protection. For specific requirements of the Environmental Resource Report and when it is required, refer to ***Exhibit III.***

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.3 Application. (Cont'd)

- G. *Cluster Option Report.* A Cluster Option Report is required for rezoning requests which propose an increase in maximum residential gross density under the Low Intensity Urban cluster options in subregional plans (i.e., *Catalina Foothills*, *Rincon/Southeast*, and *Tucson Mountains*). "Low Intensity Urban" is one of the residential intensity categories shown on the land use map and legend for these subregional plans. The intent of the Cluster Option, available under the Low Intensity Urban category, is to promote innovative site planning that preserves natural site features and protects the character of adjacent neighborhoods. For specific information on the Cluster Option Report and when it is required, refer to ***Exhibit IV***.
- H. *Services Impact Report.* A Services Impact Report is required as part of a Type III Legislative Procedure rezoning application ("early ordinance" option). The purpose of the Services Impact Report is to allow the applicant and staff to determine the proposed project's demand on public services, as well as its impact on adjacent land uses. Additionally, the report provides staff the necessary information to thoroughly evaluate the proposed project for recommendation to the Mayor and Council. For specific information on the Services Impact Report, refer to ***Exhibit V***.

4.4 Plan Compliance. All rezoning applications are reviewed for compliance with the *General Plan* including applicable subregional, neighborhood, and area plans, as provided by Sec. 5.4.5.4 of the *LUC*. If the application does not comply or if insufficient information is submitted to verify compliance, the application will be rejected and the applicant informed as to the steps necessary to reapply.

A rezoning application which does not comply with the *General Plan*, including associated *Plans*, will not be accepted for processing until the rezoning application has been amended to comply or a plan amendment has been adopted through a Type I Legislative Procedure, Sec. 5.4.2.1 of the *LUC*, which would bring the application into compliance. The Planning Director's decision that the rezoning application is not in compliance with adopted plan policies can be appealed to the Mayor and Council. The appeal must be submitted in writing to the Planning Department within ten (10) days of the Director's written Notice of Decision. Appeals will be processed in accordance with Sec. 5.4.4.3, Type III Appeal Procedure, of the *LUC*. An appeal stays all processing until the appeal is heard and decided.

4.5 Acceptance of Rezoning Application. As provided by Sec. 5.4.5.3 of the *LUC*, rezoning applications must be accepted or rejected within seven (7) working days. If staff does not issue a decision within seven (7) working days, the application is considered accepted for review. Should the application be rejected, a new seven (7) working day review period begins upon submittal of the revised application.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.5 Acceptance of Rezoning Application. (Cont'd)

As provided in Sec. 1-07.4.4 of this Standard, a rezoning application will not be accepted if it is not in compliance with adopted plan policies. The reason for this is rezoning cases are subject to a specific timetable. Rezoning requests must be heard in public hearing within seventy (70) days of acceptance of the rezoning application. That timetable does not provide adequate time to process a plan amendment and have a decision issued prior to the rezoning public hearing. In addition, both staff's and the Zoning Examiner's recommendations are based on applicable plan policies, which include the Mayor and Council's decision on the plan amendment.

On any rezoning application which is the result of a subregional, area, or neighborhood plan amendment, staff shall include the following information in the file; however, this information will include documentation of the Planning Commission's recommendation on the plan amendment, only if it is consistent with the Mayor and Council action.

- A. The City Manager's Communication to the Mayor and Council on the plan amendment, which includes the City Manager's recommendation; the Planning Commission Chairperson's letter to the Mayor and Council containing the Planning Commission's recommendation; the Planning Director's recommendation to the Planning Commission and to the Mayor and Council; and a copy of the plan amendment application, including a copy of the concept plan, if any.
- B. The summary minutes of the public hearing on the plan amendment application before, and the action by, the Planning Commission.
- C. The portion of the Mayor and Council Administrative Action Report and Summary which covers the action taken on the plan amendment.

4.6 Changes to the Rezoning Application. If the applicant proposes changes to the rezoning application after the application has been accepted for processing, staff must determine whether or not the proposed changes are sufficient to require additional staff or agency review. If the changes require additional review, the changes will be accepted only if submitted prior to the legal advertisement and public notification of the public hearing and provided the changes are accompanied by the applicant's written consent on his or her willingness to begin the process again from the time of application. Since a public hearing on the rezoning application is required to be held within seventy (70) calendar days of the date the application is accepted, the timetable does not provide the additional time necessary for staff to evaluate any changes prior to the required public notice of the rezoning hearing; therefore, the applicant must be willing to waive the seventy (70) day requirement. Once the public hearing has been advertised, any request to delay the public hearing or to change the application must be submitted to the Zoning Examiner for determination.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

- 4.7 Planning Department Recommendation. After City departments and public service agencies have reviewed and provided comment on the application, a staff report is prepared by the Planning Department. The report is distributed to the Zoning Examiner, the applicant, and the owners of property located within three hundred (300) feet of the rezoning site. The report is distributed at least fifteen (15) calendar days prior to the public hearing.

In accordance with Sec. 5.4.2.2.F and Sec. 5.4.2.3.F of the *LUC*, on rezoning requests which are the result of a subregional, area, or neighborhood plan amendment, the Planning Director's Recommendation or Report to the Zoning Examiner shall include the following information if it is available; however, this information will include documentation of the Planning Commission's recommendation on the plan amendment, only if it is consistent with the Mayor and Council action.

- A. The City Manager's Communication to the Mayor and Council on the plan amendment, which includes the City Manager's recommendation; the Planning Commission Chairperson's letter to the Mayor and Council containing the Planning Commission's recommendation; the Planning Director's recommendation to the Planning Commission and to the Mayor and Council; and a copy of the plan amendment application, including a copy of the concept plan, if any.
- B. The summary minutes of the public hearing on the plan amendment application before, and the action by, the Planning Commission.
- C. The portion of the Mayor and Council Administrative Action Report and Summary which covers the action taken on the plan amendment.

- 4.8 Public Hearing by the Zoning Examiner. One public hearing is required by state law for any rezoning request. The public hearing held by the Zoning Examiner on behalf of the Mayor and Council satisfies this requirement. This hearing is held within seventy (70) calendar days of acceptance of the application unless the time is waived by the applicant. This hearing is legally advertised in a newspaper of general circulation at least fifteen (15) calendar days prior to the hearing date. Property owners within three hundred (300) feet and City registered neighborhood associations within one (1) mile of the subject site are also notified by mail at least fifteen (15) calendar days prior to the hearing date.

At the public hearing, the Zoning Examiner has the option of closing the public hearing or continuing the public hearing to another date, time, and place after hearing all testimony. Should the Zoning Examiner continue the hearing, the continuance cannot exceed thirty (30) calendar days.

- 4.9 Zoning Examiner Recommendation. Within five (5) working days of the close of the hearing, the Zoning Examiner issues a summary of findings, together with a recommendation to the applicant, Planning Director, and any other party requesting a copy.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.9 Zoning Examiner Recommendation. (Cont'd)

A party of record may request in writing that the Zoning Examiner reconsider the recommendation (see Sec. 5.4.5.12 of the *LUC*) or may appeal the recommendation within fourteen (14) calendar days of the close of the hearing (see Sec. 5.4.5.14 of the *LUC*). If a request for reconsideration is filed, the Zoning Examiner has five (5) working days to determine if the recommendation should be amended or if the hearing should be reopened. If the Zoning Examiner's recommendation is appealed, the rezoning request will be set for public hearing before the Mayor and Council.

4.10 Mayor and Council Consideration. At the end of the appeal period for the Zoning Examiner's recommendation, the rezoning request is scheduled for Mayor and Council consideration. The Mayor and Council consider the Zoning Examiner's report for each rezoning request in a public meeting, unless one of the following situations applies which requires that a public hearing be held: (1) the applicant requests it, or (2) there is an appeal filed on the Zoning Examiner's recommendation. The Mayor and Council may also require a public hearing.

In a Type II Legislative Procedure, Sec. 5.4.2.2 of the *LUC*, upon consideration of the Zoning Examiner's recommendation, the Mayor and Council may do one or a combination of the following: (1) authorize the rezoning request, (2) set the request for public hearing, (3) remand the request back to the Zoning Examiner, (4) continue discussion to another time, or (5) deny the request. Should the Mayor and Council authorize the rezoning request, the conditions of rezoning shall be met prior to the rezoning ordinance being presented to the Mayor and Council for consideration.

In a Type III Legislative Procedure ("early ordinance"), Sec. 5.4.2.3 of the *LUC*, upon consideration of the Zoning Examiner's report, the Mayor and Council, in addition to the options listed for the Type II procedure, have the option of adopting a rezoning ordinance at the time of authorization. Should the "early ordinance" be adopted, compliance with conditions of rezoning is still required prior to the effectuation of the rezoning and the change of the zoning maps to the requested zone(s).

4.11 Ordinance Adoption. In a Type II Legislative Procedure, where the Mayor and Council has authorized the rezoning request subject to compliance with conditions of rezoning, staff will transmit an ordinance for Mayor and Council consideration upon compliance with those conditions.

Note: A partial ordinance may be adopted if the project is completed in phases and conditions are met for only that phase. The portion of the request considered for the partial ordinance must be able to meet codes without reliance on future phases.

As mentioned in Sec. 1-07.4.8, on a Type III Legislative Procedure ("early ordinance"), an ordinance is presented to Mayor and Council for consideration of adoption at the same time the Zoning Examiner's recommendation is considered.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.11 Ordinance Adoption. (Cont'd)

Note: Since the “early ordinance” is adopted in full for the entire rezoning site at the time the Zoning Examiner’s recommendation is considered, the conditions of rezoning must be met in full for the entire site (cannot be phased), before the zoning can be effectuated (i.e., zoning maps changed).

Note: State law requires that a thirty (30) day period lapse prior to effectuation of an adopted rezoning ordinance. Effectuating the ordinance does not necessarily effectuate the rezoning. The ordinance is effectuated thirty (30) days after adoption, while the rezoning is effectuated upon staff verification that all conditions of rezoning have been met. No permits or development approvals can be granted that are in furtherance of the rezoning request until the thirty (30) days have lapsed and the conditions of rezoning have been met.

4.12 Time Period for Completion of Conditions. The Mayor and Council, when authorizing a rezoning request, establish a time period to meet all conditions of rezoning. The time period begins the day after the date of authorization if the process is a Type II Legislative Procedure. If the process is a Type III Legislative Procedure, the time period commences the day after the date of ordinance adoption.

The length of the time period permitted to complete conditions of rezoning can vary from one (1) day to five (5) years. By Mayor and Council policy, the staff recommendation for rezoning requests which involve a zoning violation is a one (1) year period. For rezoning requests which do not involve a zoning violation, a five (5) year period is recommended.

Should the conditions of rezoning not be completed within the required time period, the rezoning will not be effectuated, and the application file will be closed administratively.

4.13 Types of Rezoning Ordinances. There are three (3) types of rezoning ordinances that can be presented to the Mayor and Council in either the Type II or Type III Legislative Procedure. All rezoning ordinances become effective thirty (30) calendar days after the date of adoption, as required by state law. However, the rezoning is not effectuated until compliance with all conditions of rezoning is confirmed, including the final action required by the ordinance to complete the rezoning process. All this must occur within the required time period set by the ordinance. During the period between ordinance adoption and the required final action, since the zoning is not in effect, the City cannot approve any improvement to the property that is not in compliance with the existing underlying zone.

Note: In the case of a Type III Legislative Procedure (“early ordinance”), Sec. 5.4.2.3 of the *LUC*, all rezoning conditions must be met for the entire rezoning site, prior to effectuation of the rezoning for the property.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.13 Types of Rezoning Ordinances. (Cont'd)

The three (3) types of rezoning ordinances, all considered final actions, are as follows.

- A. *Building Permit.* This is the standard type of ordinance that is used. The rezoning ordinance requires compliance with one or more conditions of rezoning, of which one is that a building permit be issued for construction of any new principal structure(s) on the rezoning site in compliance with an approved development plan. Permits issued for grading, electrical, sidewalks, patio walls, fences, storage buildings, and other similar types of improvements are not acceptable for effectuating the zoning. The building permit must be secured within the time period allowed for the rezoning case. The Planning Department is notified by the Development Services Department (DSD) when the permit is issued. The zoning is then effectuated, and the Planning Department changes the zoning maps to reflect the new zoning.
- B. *Subdivision Plat.* This rezoning ordinance requires compliance with one or more conditions of rezoning, including the completion of the rezoning process through the recordation of a subdivision plat. If the conditions are met and the subdivision plat is approved and recorded within the time period allowed, the new zoning is effectuated, and the zoning base maps are changed to reflect the new zoning.

The use of this type of ordinance is generally limited to single family residential projects, where division of lots is such that the property cannot be used for other purposes without replatting. Staff can recommend the use of this type of ordinance for other forms of development where, in staff's opinion, the same intent can be accomplished or in such instances where the project is a large multiuse development and construction is phased, provided there is a development plan approved for the project. In this instance, the subdivision plat can be a block (or master) subdivision plat, with each block encompassing each land use area.

Note: Under this option, a rezoning ordinance can be forwarded to the Mayor and Council based on an approved tentative plat, provided it can be shown that all conditions of rezoning have been met, with the exception of the recordation of the plat. The effectuation of the rezoning will be subject to the recordation of the final plat prior to the expiration of the time period applicable to the rezoning. Although an ordinance can be adopted based on the approved tentative plat, no permits can be issued on the project until the ordinance has been effectuated. (This option allows the state-mandated thirty [30] day period, mentioned in Sec.1-07.4.6, to occur concurrently with the review of the final plat.)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.13 Types of Rezoning Ordinances. (Cont'd)

- C. *Site Inspection.* This rezoning ordinance applies to those rezoning applications where the eventual improvements to the property do not require the issuance of a building permit or the recordation of a subdivision plat. The rezoning ordinance requires conditions of rezoning, including the requirement that a site inspection be conducted to verify that the Mayor and Council conditions of rezoning have been met. The inspection would verify that site improvements have been installed on the rezoning site within the time period allowed, in accordance with an approved development plan. Once the site is inspected and compliance is confirmed, the new zoning is effectuated, and the zoning base maps are changed to reflect the new zoning.

Note: Once a rezoning case is completed and the zoning changed, the approved development plan and rezoning conditions remain as part of the public record and run continuously with the land, regardless of ownership. Change of use, removal or modification of improvements (including landscaping, screening, and parking) shown on the plan, or additions made without going through the development plan process for approval for a change in the approved development plan constitute a zoning violation.

4.14 Extension of Time for Completion of Conditions. When a rezoning request has been authorized or an ordinance adopted and the specified time period within which to complete all conditions of rezoning has lapsed, the case file will be closed in accordance with Sec. 5.4.5.17 of the *LUC*. A time extension, however, may be requested prior to the time period expiring. The request should be filed with the Planning Department at least four (4) to six (6) weeks prior to the expiration date so that a decision on the request can be made prior to that date. The review process is similar to that for a rezoning application, where the request is circulated for agency review and comment. At the end of that period, a staff report will be drafted and the item scheduled for Mayor and Council consideration. The Mayor and Council will consider the time extension request in a public meeting (no public notification required), except in the following situations.

- A. A public hearing is required before the Mayor and Council if the request would extend the time period more than five (5) years from the date of the last public hearing on the request.
- B. If a rezoning ordinance has been adopted and the time period for compliance with conditions of rezoning has lapsed, a public hearing before the Mayor and Council is required, because the rezoning case must be reactivated in order to consider the time extension.
- C. A public hearing is required if the time period has lapsed prior to considering the extension.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

- 4.15 Change in Development Plan and/or Conditions of Rezoning. Any proposed change to a rezoning preliminary development plan, to an approved development plan, or to the conditions of rezoning are considered as follows.

Note: Proposed changes must comply with adopted subregional, area, or neighborhood plan policies applicable to the property; otherwise, the proposed changes will not be processed.

- A. *Process Determination.* The Planning Director makes a determination as to whether a proposed change to the conditions of rezoning, to the preliminary development plan, or to the approved development plan is substantial or minor. This decision determines which process, as provided in Sec. 5.4.5.19 of the *LUC*, will be applied.
1. A substantial change to rezoning conditions, to the preliminary development plan, or to the approved development plan requires Mayor and Council approval after a public hearing. The hearing shall be legally advertised in a newspaper of general circulation at least fifteen (15) days prior to the hearing date. Property owners within three hundred (300) feet of the subject site are notified by mail at least fifteen (15) days prior to the hearing date. Notice is also provided to City registered neighborhood associations within one (1) mile of the subject site and to any other person who was a party to the last public hearing on the rezoning request.
 2. A minor change to rezoning conditions, to the preliminary development plan, or to the approved development plan requires Mayor and Council approval after a public meeting. Property owners within three hundred (300) feet of the subject site are notified by mail at least fifteen (15) days prior to the public meeting date. Notice is also provided to City registered neighborhood associations within one (1) mile of the subject site and to any other person who was a party to the last public hearing on the rezoning request.
 3. A minor change to the preliminary development plan or approved development plan may be granted by the Planning Director.
- B. *Review Process.* The following will be applied when the requested change requires Mayor and Council consideration.
1. *Application Requirements.* According to adopted Mayor and Council policy, an applicant for these types of changes must follow the same steps as if applying for a new rezoning. This includes compliance with the preapplication conference (Sec. 1-07.4.1), neighborhood meeting (Sec. 1-07.4.2), application documentation (Sec. 1-07.4.3), and plan compliance (Sec. 1-07.4.4) requirements.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

4.15 Change in Development Plan and/or Conditions of Rezoning. (Cont'd)

2. *Review.* The review process is similar to that for a rezoning application. The request is circulated for agency review and comment. At the end of the agency review period, a staff report will be prepared and the item scheduled for Mayor and Council consideration in accordance with the applicable requirements of Sec. 1-07.4.15.A above.

4.16 Time Limitations on Refiling. Mayor and Council policy and the Rules and Procedures of the Zoning Examiner require that a new request for rezoning on property previously denied rezoning by the Mayor and Council not be accepted for a period of one (1) year from the date of denial, except:

- A. when the case does not involve a request for a zone which was denied or recommended as a substitute zone and rejected by the original applicant; or
- B. when a substantial change in the use of adjacent property has occurred since the previous case was heard which could not have been anticipated; or
- C. when there has been a change in ownership and a substantially modified development plan is presented.

It is also the policy of the Mayor and Council to recognize the Pima County Board of Supervisors' one (1) year policy with respect to rezoning applications which have been denied, where these properties are later annexed into the city. The one (1) year waiting period begins on the day after the date the Board of Supervisors denied the application.

1-07.5.0 RESPONSIBILITY FOR REVIEW. The Planning Director will review this Standard annually or as necessary.

1-07.6.0 EXHIBITS. The following exhibits are attached.

- | | | |
|-------------|---|--|
| Exhibit I | - | Preliminary Development Plan Checklist |
| Exhibit II | - | General Site Inventory/Design Compatibility Report Checklist |
| Exhibit III | - | Environmental Resource Report Checklist |
| Exhibit IV | - | Cluster Option Report Checklist |
| Exhibit V | - | Services Impact Report Checklist |

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

**EXHIBIT I
PRELIMINARY DEVELOPMENT PLAN CHECKLIST**

- I. **APPLICABILITY.** A preliminary development plan is required as part of any rezoning application processed under the Type II Legislative Procedure. If submitting for a Type III Legislative Procedure (“early ordinance”), a preliminary development plan drawn in accordance with Development Standard No. 2-05.0 is required.

For the Type II Legislative Procedure, the preliminary development plan should demonstrate that site planning and project design are based on the analysis of site features and the character of the surrounding neighborhood, as shown in the General Site Inventory and Design Compatibility Report (*Exhibit II*). Development within areas of site constraints should be evaluated for appropriate mitigation and illustrated on the preliminary development plan.

- II. **CONTENT AND SUBMITTAL REQUIREMENTS.** The preliminary development plan should be fully dimensioned and drawn to an appropriate scale (one inch = 40 feet is suggested) on a 24 x 36 inch sheet, folded to our standard 8½ x 11 inch format. Please refer to the rezoning application information packet for the number of copies required at submittal. The following are required on the preliminary development plan.

- A. The property boundary dimensions.
- B. Existing zoning on-site and adjacent to the site. If more than one zone is requested, designate on the preliminary development plan the location of the proposed zoning boundaries along with dimensions and acreage of each zone requested.
- C. Locations, size (square footage), and height of all existing buildings within one hundred (100) feet of the project site, dimensioned to show distance to project site boundaries, including approximate densities of residential uses and types of commercial or industrial uses.
- D. Locations, size (square footage), and height of all buildings existing or proposed on the project site. Note the approximate setbacks from property boundaries and whether existing buildings will remain as part of the project or if they will be removed.
- E. The adjacent roadways and their present and future rights-of-way, as per *the Major Streets and Routes (MS&R) Plan*.
- F. Locations of any existing billboards on the project site. Note whether the intent is to leave in place, relocate, or remove.
- G. Locations of loading zones, outdoor storage, trash dumpsters, and any proposed drive-through lanes.
- H. Proposed changes in elevation and topography due to the proposed grading plan, including spot elevations.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- I. All proposed landscaping and screening of a project from adjacent development, whether required or not (masonry walls, vegetation--indicate width of landscape strip used for screening, type of vegetation proposed, etc.). Show any areas to be left undisturbed and preserved in place. Refer to the *LUC*, Sec. 3.7.0 and Sec. 3.8.0, for specific screening and native plant preservation requirements.
- J. Drawings (details) of any landscaping and screening that will be employed to mitigate sound, visibility, exterior lighting, traffic, and other negative impacts of the proposed development.
- K. Drawings (details) of the proposed location and type of drainage solution (generalized), i.e., natural channel, street system, retention, constructed channel, landscaped areas, parking areas, etc. Show erosion hazard setback lines, where applicable.
- L. All parking areas, public or private streets, parking area access lanes (PAALs), and vehicular and bicycle parking requirements, including Americans with Disabilities Act (ADA) considerations.
- M. Pedestrian circulation and access, including ADA considerations.
- N. Street improvements that are proposed to mitigate any traffic impacts anticipated as part of this development (i.e., center or right turn lanes).
- O. In addition, provide a small-scale drawing indicating the rezoning site location relative to the nearest major street, preferably the intersection of two major streets.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES

EXHIBIT II
GENERAL SITE INVENTORY/DESIGN COMPATIBILITY REPORT CHECKLIST

GENERAL SITE INVENTORY

- I. **APPLICABILITY.** A General Site Inventory is required for all rezoning requests. Please refer to the rezoning application information packet for the number of copies required at submittal. The General Site Inventory should, at a minimum, identify and describe existing characteristics and conditions of the site. Based on knowledge of the site's development opportunities and constraints, the applicant can appropriately design the project to accommodate site and neighborhood characteristics. This basic information will be compared to the supplemental information provided in *Exhibits I, III, IV, and V*.
- II. **CONTENT AND SUBMITTAL REQUIREMENTS.** The following material may be provided on the preliminary development plan or in a separate document titled "General Site Inventory" which may include maps. The written information in the General Site Inventory and Design Compatibility Report should be included as the first section of *Exhibits III, IV, and V*, if these exhibits are required. A map showing the location of the project site within the boundaries of the plan area is required, along with a table of contents indicating all required information by page or map number. Any maps and illustrations presented should include a legend and north arrow, be fully dimensioned, and be drawn at an appropriate scale (one inch = 40 feet is suggested) on a 24 x 36 inch sheet, folded to our standard 8½ x 11 inch format. Staff may waive or amend the requirement for any of this information if it is determined it is not necessary to evaluate the rezoning request. Staff may also require additional information, depending on the scale and intensity of the proposed development. The General Site Inventory should include the following.
- A. Soils and Topography. Map of existing topographic contour information, including spot elevations and slopes of areas which are fifteen (15) percent or greater. Indicate any unstable soils which may be prone to subsidence or erosion. Indicate the presence of any landfills, "wildcat" dumping, radon gas, or dross on-site.
- B. Vegetation. Description and map of existing on-site vegetation. Indicate any vegetative areas especially important for wildlife, scenic value, or screening. Indicate any areas to be left undisturbed and preserved in place. Refer to the *LUC*, Sec. 3.7.0 and Sec. 3.8.0, for specific screening and native plant preservation requirements.
- C. Hydrology. Map of on-site hydrology (i.e., locations of existing washes, one hundred [100] year floodplains). Reference whether the City Floodplain Ordinance and/or Article VIII, Section 29-12 of the Tucson Code, Watercourse Amenities, Safety, and Habitat, are applicable to the site.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS (GENERAL SITE INVENTORY). (Cont'd)

D. Cultural Resources and Public Services.

1. Provide a letter from the Arizona State Museum, the State Historic Preservation Office, or a qualified archaeologist indicating whether the site has been field surveyed, whether there are archaeological or historical resources on or adjacent to the site, and stating their recommendations with regard to further investigation and/or preservation.
2. Map the locations of schools abutting the project site. For residential projects, include as a map note or attached summary, the names of existing and proposed parks, libraries, and schools within a one-half (½) mile radius of the rezoning site. Provide the projected number of children who may be attending elementary, secondary, and high schools from the project site.
3. Map the locations of parks and public land abutting the project site and existing and proposed trails and trail access.
4. Indicate existing street improvements currently serving the site, such as curbs, gutters, sidewalks, and paving and the average daily trips (existing trips) on streets adjoining the proposed project.
5. Provide trip generation calculations for existing and proposed uses on the project site, including separate calculations for each different land use activity if the proposed project is a mixed use project.
6. Indicate any gateway or scenic routes adjoining the parcel.
7. Indicate whether the development will connect to public sewer.
8. Indicate who will provide water service to the site. Indicate whether the water company is certified by the state for the one hundred (100) year assured water supply. If the company is a service other than Tucson Water, indicate whether the company can provide fire protection service as well as domestic water.

E. Views. Describe the views to and from the site. Provide photographs and/or map the views.

F. Relationship of Preliminary Development Plan to General Site Inventory. Provide a written summary, supplemented by maps, map overlays, or a composite map, describing how the proposed development responds to the unique characteristics of the site or surrounding neighborhood. Any area of the site proposed for development which would conflict with an adopted City ordinance or policy must be specifically delineated, e.g., shaded or cross-hatched. The justification for disturbance of this portion of the site must be provided. At the discretion of the applicant, this information may be provided as part of other required reports (***Exhibits III through V***), if applicable.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

DESIGN COMPATIBILITY REPORT

- I. **APPLICABILITY.** A Design Compatibility Report is required for all rezoning requests in addition to the information in the General Site Inventory. While the General Site Inventory acknowledges existing conditions and issues related to the development of the site, the Design Compatibility Report focuses on land use compatibility and the built environment. This information is evaluated on how the proposed project utilizes the General Site Inventory; complies with applicable neighborhood, area, and subregional plans; and integrates the project into the existing environs.
- II. **CONTENT AND SUBMITTAL REQUIREMENTS.** The Design Compatibility Report is intended to address the design issues identified in the General Site Inventory; subregional, area, neighborhood, and *General Plan* policies; and the *LUC* requirements. Any proposed development activity in conflict with adopted City ordinances or policy direction must be described. The report should demonstrate the measures used to mitigate the project's design impact on the surrounding area. Depending upon the types of mitigation measures to be used, these measures may be shown on the preliminary development plan or provided as written summary information.

Any maps and illustrations presented should include a legend and north arrow, be fully dimensioned, and be drawn at an appropriate scale (one inch = 40 feet is suggested) on a 24 x 36 inch sheet, folded to our standard 8½ x 11 inch format. Please refer to the rezoning application information packet for the number of copies required at submittal.

The Design Compatibility Report should include the following.

- A. Supplemental Information for Preliminary Development Plan. The following design features are most appropriately shown on the preliminary development plan.
1. Additional proposed building setbacks, beyond the minimum requirement, which mitigate impact.
 2. Transition of building height and number of stories.
 3. Transition of densities.
 4. Changes in elevation due to grading.
 5. The proposed drainage solution (generalized), i.e., natural channel, street system, retention, constructed channel, landscaped areas, parking areas, etc. Include rationale for constructed drainage system, if one is proposed.
 6. Locations of walkways, parking and loading areas, and pedestrian connections.
 7. Types and placement of signs.
 8. Types and placement of lighting.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS (DESIGN COMPATIBILITY REPORT).
(Cont'd)

- B. Landscape Plan. The following design features are most appropriately shown on a landscape plan. If possible, this information can be shown on the preliminary development plan.
1. Types, placement, and sizes of proposed vegetation. Include the number of canopy trees in parking areas.
 2. Screening measures, such as masonry walls, berms, and vegetation; types of material, location, and shape.
 3. Defensible space techniques, as described in relevant policy direction (contact the Crime Prevention Section of the Tucson Police Department).
 4. Include landscaping proposed within detention areas and drainageways.
- C. Building Materials and Styles. A statement and/or illustration as to how the proposed building form, surface treatment, and materials respond to and are compatible with the climate, neighborhood context/existing development, and human scale, with the following elements as a guide for discussion. This discussion is your opportunity to explain how your development will be of benefit to the neighborhood. If your design conflicts with neighborhood context, explain the reason for your plan and design solutions.
1. Architectural form (i.e., variation in rooflines, pitch, flat), color, and material of structures proposed on-site, as well as existing adjacent buildings off-site.
 2. Design for privacy and provision of defensible space.
 3. Provision of view corridors.
 4. Environmental response (i.e., energy conservation techniques, building orientation, placement of landscaping, etc.).
 5. Existing landscaping and screening (walls/fences) along site boundaries on adjacent properties.
- D. Policy Compliance. Note the applicable subregional, area, or neighborhood plans. Provide a summary statement describing how the proposed development complies or conflicts with adopted plan policies. Any area of the site proposed for development which would conflict with an adopted City ordinance or policy must be specifically delineated.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

**EXHIBIT III
ENVIRONMENTAL RESOURCE REPORT CHECKLIST**

I. APPLICABILITY. An Environmental Resource Report is required for rezoning requests, in addition to the General Site Inventory and Design Compatibility Report, in the following instances.

- (1) Requests lying within certain adopted plan areas which identify environmental issues, including subregional, area, and neighborhood plans. Those plan areas are: *Bear Canyon, Catalina Foothills, Esmond Station, Houghton East, Old Fort Lowell, Pantano East, Rincon/Southeast, Santa Cruz, Sabino Canyon-Tanque Verde, South Pantano, Tucson Mountains, and Tumamoc.*
- (2) Requests where development is proposed along any designated resource corridor or within one (1) mile of designated public preserves. These are areas which may involve sensitive terrain, significant wildlife, and natural water courses or drainageways which have been identified for preservation or protection by a land use plan, basin management plans, the Tucson Stormwater Management Study, or the Critical and Sensitive Biological Communities Map (CSBC).

The basin management plans which establish certain design standards for washes include: West Branch Santa Cruz, Houghton East, Este Wash, Arroyo Chico, and North Stone. These plans are to be followed as applicable. The public preserves identified for purposes of this report include Saguaro National Park (East and West Units), Tucson Mountain Park, and Coronado National Forest.

The Environmental Resource Report is required whenever the "set aside" option of the Native Plant Preservation Ordinance (NPPO) is proposed. It can also be used as the basis of the Native Plant Inventory and Native Plant Preservation Plan if prepared in sufficient detail.

Although the Environmental Resource Report focuses on natural site features, the report will also inventory other site conditions, where applicable, such as adjacent land uses, traffic patterns, parks, and schools, in order to assess the full impacts of the proposed development. Based on knowledge of the site's development opportunities and constraints, the applicant can appropriately design the project to accommodate site and neighborhood characteristics.

Note: Some of these plans have areas which are largely urbanized. In these situations, where a rezoning case focuses on "fitting" new development into an existing built-up area, the Environmental Resource Report may be waived by Planning staff. Consideration will be on a case-by-case basis.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

- II. CONTENT AND SUBMITTAL REQUIREMENTS.** A table of contents indicating all required information by page or map number is necessary. A location map showing the project site within the boundaries of the plan area or a public preserve is required. All maps and illustrations should include a legend and north arrow, be fully dimensioned, and be drawn at an appropriate scale (one inch = 40 feet is suggested) on a 24 x 36 inch sheet, folded to our standard 8½ x 11 inch format. Please refer to the rezoning application information packet for the number of copies required at submittal. All maps should be consistent and of a scale to clearly show the information presented. Contours, where required, may be at either one (1) foot or two (2) foot intervals. All aerial photographs used should be no more than two (2) years old and should indicate the flight date, a north arrow, and the project site boundaries.

The Environmental Resource Report submittal must contain: 1) an inventory, 2) a composite map, and 3) a conceptual grading plan. Detailed requirements are outlined as follows.

A. Inventory.

1. *Topography/Hydrology Map.*
 - a. Topography may be shown with a one (1) or two (2) foot contour map or an aerial photo with a one (1) or two (2) foot contour overlay. The features highlighted should include protected peaks and ridges, slopes of fifteen (15) percent or greater, and drainage patterns.
 - b. On-site predevelopment hydrologic characteristics should be mapped including any one hundred (100) year floodplains with discharge of fifty (50) cfs or greater and peak discharges entering or leaving the site for one hundred (100) year events.
 - c. Describe and map postdevelopment water discharge on- and off-site within one-fourth (¼) of a mile; describe and map potential drainage impacts of off-site land uses both upstream and downstream of the proposed development.
 - d. Describe and map on an aerial photograph those drainageways currently subject to the provisions of the Watercourse Amenities, Safety, and Habitat (WASH) ordinance and those identified on the Environmental Resource Zone (ERZ) maps; adopted subregional, area, and neighborhood plans; the Tucson Stormwater Management Study; or the Critical and Sensitive Biological Communities (CSBC) Map.
 - e. Reference should be made to any applicable basin management plan, the Tucson Stormwater Management Study, the Critical and Sensitive Biological Communities (CSBC) Map, or scenic corridor policy which requires drainageways to be left in their natural state.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- f. Describe and map the approximate location of design features that will be used to mitigate drainage and erosion problems (examples include: preservation of drainageways and associated vegetation in their natural state, retention/detention basins, revegetation, gabions, and riprapping).
- g. If significant natural features, vegetation, or floodplain areas are proposed to be encroached upon, state why the encroachment could not be avoided and what mitigation measures will be taken.
- h. All areas to be left undisturbed must be mapped, and temporary fencing must be installed to preclude disturbance prior to grading and construction. A note and plan reference is required.
- i. Proposed development which is to occur on any lot or parcel identified on the Hillside Development Zone (HDZ) maps requires calculations for the overall cross slope of the parcel to determine if the HDZ applies. If the HDZ applies, indicate how compliance will be achieved.

(*Sources:* City of Tucson Planning Department [ERZ and HDZ maps] and Office of the City Engineer [WASH ordinance]); Tucson Stormwater Management Study; and the Critical and Sensitive Biological Communities [CSBC] Map)

2. *Soils Map.*

- a. State whether soils testing has been done for the site, either for the subject proposal or a previous development, and include the results of the testing.
- b. Map any heavily disturbed areas (by prior grading or excavation) and any unstable soils which may be prone to subsidence or erosion.
- c. Show the location of any hazardous materials on the project site placed on the property or naturally occurring, such as landfills, "wildcat" dumping, dross, or radon gas.
- d. When applicable, describe soil suitability for septic use.

3. *Vegetation and Wildlife Map.*

- a. All vegetative communities and plant associations on-site should be located on an aerial photo or mapped, including mesquite bosques; any visually prominent cacti or individual trees, with a caliper of four (4) inches or greater; and all saguaros. Also see Development Standard 2-15.0.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- b. Any areas where vegetation provides scenic value, screening and/or buffering, and soil stabilization.
- c. Delineate any habitat type noted on the Critical and Sensitive Biological Communities (CSBC) Map including riparian and significant nonriparian habitat. Describe the densities of any of these communities or associations.
- d. Include a written statement from the Arizona Game and Fish Department's regional office regarding:
 - (1) endangered species (both plant and animal) on or near the project site;
 - (2) significant densities of wildlife by species; and
 - (3) all Class I or Class II habitat as defined by the CSBC Map present on or adjacent to the project site.

(Sources: Arizona Game and Fish Department and Critical and Sensitive Biological Communities [CSBC] Map)

- B. Composite Map. The composite map is prepared based on the inventory information. This map indicates where development is desirable and where, due to site constraints, land should be left undisturbed. This composite information should be reflected on the preliminary development plan as to how the proposed development will mitigate potential adverse impacts on adjacent parcels or the character of the immediate neighborhood through site design, setbacks, screening, landscaping, preservation of sensitive open space, etc. The following elements should be presented (as applicable) on the composite map.

- 1. Gateway or scenic routes.
- 2. Drainageways to be left in a natural state.
- 3. Historical or archaeological features.
- 4. Heavily disturbed soils.
- 5. Landfills.
- 6. Protected peaks/ridges.
- 7. Sloped areas in excess of fifteen (15) percent.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

8. Significant vegetative communities and/or wildlife habitat corridors.
9. Trails and trail access points.
10. Adjacent land uses.

C. Conceptual Grading Plan.

1. Indicate all areas proposed for grading.
2. Note all proposed changes in elevations within the project boundary due to grading by providing predevelopment and postdevelopment spot elevations. Indicate maximum grade differential from adjacent properties at project boundaries. Differential grading information is to be provided in accordance with the Differential Grading Ordinance.
3. Indicate approximately how much surface area of the project site will be graded as a result of the proposed development.
4. Show all changes to drainageways including upstream and downstream conditions.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

**EXHIBIT IV
CLUSTER OPTION REPORT CHECKLIST**

- I. **APPLICABILITY.** A Cluster Option Report is required for rezoning requests that are proposing an increase in the maximum residential gross density under the "Low Intensity Urban" cluster options in the *Catalina Foothills*, *Tucson Mountains*, or *Rincon/Southeast Subregional Plans*. Low Intensity Urban is one of the residential intensity categories shown on the land use map and legend for these plans. This requirement is not necessarily related to or affected by City Code requirements of the Residential Cluster Project (RCP).
- II. **INTENT.** The intent of the cluster option, as set forth in the Low Intensity Urban plan category of the subregional plans, is to promote innovative site planning that preserves natural site features (i.e., open space, native vegetation, washes, wildlife habitat, significant topography, and historical and archaeological resources) while protecting the character of adjacent neighborhoods. The Cluster Option Report provides an opportunity for the applicant to demonstrate compliance with the open space requirements of the Low Intensity Urban cluster option and the compatibility of the cluster design with existing site and neighborhood features.
- III. **DEFINITIONS.** In order to qualify for increases in gross density as provided in the Low Intensity Urban plan category, the development proposal must meet the relevant "cluster open space" and "natural open space" area and ratio requirements listed in the Low Intensity Urban category. The following open space definitions should guide site planning and cluster option compliance.

Note: The following definitions apply only to *Exhibit IV* of this Standard and are not applicable to other Development Standards.

Cluster Open Space: Open space, either natural or functional, provided to compensate for lot size reductions from minimum lot size requirements or increases in overall gross density.

Common Open Space: Land area within a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. Common open space may be either natural open space or functional open space.

Functional Open Space: Open space that is a designed element of the development and has a functionally described and planned use as an amenity for the direct benefit of the residents of the development. Man-made impervious surfaces shall not exceed three (3) percent within areas so designated. Examples include:

1. landscaped areas which provide visual relief, shade, screening, buffering, and other environmental amenities;
2. nature trails;
3. exercise trails;

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

III. DEFINITIONS. (Cont'd)

4. active recreation areas, e.g., playgrounds, baseball fields, multiuse areas;
5. picnic areas and facilities;
6. recreation areas and facilities, e.g., swimming pools, tennis courts;
7. golf courses.

Natural Open Space: Any area of land, essentially unimproved and not occupied by structures or man-made impervious surfaces, that is set aside, dedicated, or reserved in perpetuity for public or private enjoyment as a preservation or conservation area.

Public Open Space: Open space owned by a public agency, such as the City of Tucson Department of Parks and Recreation, and maintained by it for the use and enjoyment of the general public.

IV. CONTENT AND SUBMITTAL REQUIREMENTS. The following material should be submitted along with, or as part of, the preliminary development plan, General Site Inventory/Design Compatibility Report, and Environmental Resource Report. Any maps and illustrations presented should include a legend and north arrow, be fully dimensioned, and be drawn at an appropriate scale (one inch = 40 feet is suggested) on a 24 x 36 inch sheet, folded to our standard 8½ x 11 inch format. Please refer to the rezoning application information packet for the number of copies required at submittal.

- A. Summary Statement. The Cluster Option Report shall include a statement which addresses environmental and design issues identified in the General Site Inventory and Environmental Resource Report and addressed on the preliminary development plan. The purpose of this statement is to acknowledge existing site conditions and issues related to the development of the site and to describe how the cluster option will result in the preservation of open space resources and protection of adjacent neighborhood character through flexible site design.
- B. Preliminary Development Plan. At the discretion of the applicant, the preliminary development plan may be a map or series of map overlays (see **Exhibit I** for requirements). However, additional map annotations or supplementary materials provided may assist staff in assessing compliance with cluster option review criteria.

V. REVIEW CRITERIA. Staff will review cluster option reports for compliance with the following criteria.

- A. Open Space Requirements.
 1. Cluster open space ownership and control shall be only:

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

V. REVIEW CRITERIA. (Cont'd)

- a. as part of an individual, private lot with recorded covenants running with the land;
 - b. by a homeowner's association; or
 - c. by the City of Tucson, as legally dedicated to, and approved by, the Mayor and Council.
 2. Third-party ownership of cluster open space shall not be allowed. The association may enter into contracts (i.e., easements) or lease agreements to allow third-party operation of uses permitted within functional open space, as defined in this option.
 3. Natural open space adjacent to public parks, preserves, or County- or City-maintained stream channels may be deeded to Pima County or the City of Tucson as public open space, if approved by the Mayor and Council.
 4. Cluster open space shall be an integrated part of the site design and shall be located within the boundaries of the cluster development it serves.
 5. Phased developments shall provide cluster open space for each phase, so that each phase may stand alone.
 6. Cluster open space shall not include public or private streets, driveways, parking areas, channelized drainageways, or disturbed, unvegetated areas.
- B. Additional Review Considerations. Staff will review the preliminary development plan to evaluate the project's response to the open space preservation/site design objectives of the cluster option to determine the project's merits for density increases provided under the Low Intensity Urban plan category. The preliminary development plan should clearly indicate the acreages and percentages of different types of open space versus developed area. In reviewing a cluster option preliminary development plan, staff shall give particular consideration to the following criteria.
1. Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of natural and historic site features and structures.
 2. The utility of functional open space shall be determined by its size, shape, topographical, and locational requirements.
 3. Cluster open space shall include irreplaceable natural features located on the site (such as, but not limited to, stream beds and banks, significant stands of vegetation and trees, individual trees and cacti of significant size, rock outcroppings, peaks, ridges, and slopes).

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

V. REVIEW CRITERIA. (Cont'd)

4. Cluster open space intended for a recreation or common use shall be easily accessible to pedestrians, and accessibility shall meet the needs of the handicapped and elderly.
5. The suitability of cluster open space intended for scenic purposes shall be determined and validated by its visual impact and quality as seen from a significant number of units or buildings or by its visibility along the nearest lengths of public or private streets.
6. The suitability of individual building types and designs shall be determined by how well they function and relate to the natural constraints of the site.
7. Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view of buildings, to maximize energy conservation, and to minimize the land area devoted to motor vehicle access.
8. Individual lots, buildings, units, and parking areas shall be situated to mitigate the adverse effects of pollution, noise, lighting, and traffic on the residents of the site.
9. Existing sites, structures, and landmarks having a potential for historic preservation shall be identified and, where possible, integrated into the preliminary development plan as a designed feature of the project.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES

EXHIBIT V
SERVICES IMPACT REPORT CHECKLIST

- I. **APPLICABILITY.** A Services Impact Report is required as part of a rezoning application, in addition to the applicable requirements of *Exhibits I, II, III, and IV*, when the "early ordinance" option (Type III Legislative Procedure, Sec. 5.4.2.3, of the *LUC*) is requested. Required reports may be combined into one document. The purpose of the Services Impact Report is twofold. First, it enables the rezoning applicant to become knowledgeable about the project's demand on public services, as well as the impact on adjacent property owners. Based on knowledge of the site's development opportunities and constraints, the applicant can appropriately design the project to accommodate site and neighborhood characteristics. Second, it provides staff with the necessary information to thoroughly evaluate the project for recommendation to the Mayor and Council. The information contained in the Services Impact Report will enable the Mayor and Council to make a more informed decision based on the demands on public infrastructure, site characteristics, and neighborhood considerations.
- II. **CONTENT AND SUBMITTAL REQUIREMENTS.** Please refer to the rezoning application information packet for the number of copies required at submittal. The following list is an outline of the Services Impact Report material to be submitted as part of the rezoning application. This information may be presented in report form and/or as a map or series of maps, all fully dimensioned and drawn to an appropriate scale (one inch = 40 feet is suggested) on a 24 x 36 inch sheet, folded to our standard 8½ x 11 inch format. For some of the required information, written text is acceptable.

The Services Impact Report shall contain the following elements.

- A. Project Location. A small project location map at a scale of one inch = 1,000 feet showing the rezoning site at the center and indicating what generalized land uses surround it within a one-half (½) mile radius. Major streets should be indicated.
- B. Circulation and Trip Generation.
1. The following information is to be mapped.
 - a. Major and/or local streets abutting the project; existing names and widths of these streets; proposed rights-of-way for the major streets per the *Major Streets and Routes (MS&R) Plan*; scenic or gateway routes abutting the project site; distance to and identification of nearest major intersection.
 - b. Existing and proposed curb cuts and access drives; their widths and locations relative to the street intersection or to the project property line; any driveways to be closed.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- c. Locations of deceleration or turn lanes if traffic volumes, access, or other design features require this solution after consultation with the City Traffic Engineer.
 - d. Locations of existing/proposed curbs, driveways, sidewalks, and bike paths both on-site and adjacent off-site; locations of structures, such as poles or transformers, that will require relocation because of new right-of-way improvements.
- 2. The following information is to be provided in the form of notes on the map or as part of a separate report.
 - a. Locations of existing or proposed traffic signals within one (1) mile of the project boundaries. Locations of nearest existing public transit stops, any proposed transit stops, and park-and-ride facilities.
 - b. Projected date of any roadway or other improvements affecting the project and currently included in the City Capital Improvement Program (C.I.P.), including street lighting improvements; indicate if property owner is required or willing to participate in an improvement district for these improvements.
 - c. Trip generation calculations for existing and proposed uses on the project site, including breakout by different land use activities if it is a mixed use project.
 - d. Existing traffic counts (average daily traffic) on the major streets within one (1) mile of the proposed project.
 - e. Traffic mitigation measures proposed by the applicant (including air quality mitigation, such as carpooling programs, staggered work hours, park-and-ride lots, and bus shelters).

(Sources: Offices of City Engineering, Traffic Engineering, and Transportation Planning; Sun Tran; the Pima Association of Governments; and the Pima County Department of Environmental Quality)

C. Schools/Recreational and Cultural Facilities.

- 1. The following information is to be mapped.
 - a. Locations of any schools, parks, libraries, and public land abutting the project site; show the name of the facility and the ownership. If any abutting vacant land is proposed for such uses, indicate the name of the facility and the ownership.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- b. Pedestrian and bike routes currently used by children going to schools, parks, or other public facilities and those proposed if the project is residential; note any conflict points, if known, between vehicular and pedestrian or bicycle traffic.
 - c. Historical sites or structures and archaeological or other historical resources on or adjacent to the site. Provide a letter from either the Arizona State Museum, the State Historic Preservation Office, or a qualified archaeologist who reviews all of the available information for the site. This record check should:
 - (1) determine whether the site has been field surveyed for cultural resources; and
 - (2) make an informed recommendation as to whether an archaeological survey of the site is needed.
 - d. Location of any trail or trail access (foot, horse, or bicycle access or any access to a public preserve), on or adjacent to the site, existing or designated on the City Parks, Recreation, Open Space, and Trails (PROST) Element of the *General Plan* or the Pima County *Trail System Master Plan*. Note whether any current or future trails are located within one (1) mile of the site.
2. The following information is to be provided in the form of notes on a map or as part of a separate report.
- a. If the project is residential, list the names of any existing or proposed schools which service this project. List any parks within a one (1) mile radius of the rezoning site.
 - b. If the project is residential, project the number of children who may be attending elementary, secondary, and high schools.

(*Sources:* School Districts - Administrative Offices: Tucson Unified, Amphitheater, Vail, Sunnyside, Flowing Wells, and Catalina Foothills; City Parks & Recreation Department; Pima County Parks and Recreation Department; Arizona State Museum; PAG regional bikeway plan (Bicycling); and The Conceptual Parks, Open Space, and Trail System map contained in Policy 9 of the *General Plan*)

D. Utilities.

1. The following is to be mapped.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- a. All utilities (including utility line sizes and locations) and any dedicated easements existing on or adjacent to the project site--gas, electric, water, telephone, cable, sewer, fire protection, etc.
 - b. Any proposed changes to existing utilities and easements and any new utilities and easements due to utility service or any required upgrades (poles, transformers, cables, etc.).
 - c. Proposed location(s) of trash dumpster(s) and proper maneuvering area for pick-up vehicle.
2. The following information is to be provided in the form of notes on the map or in a written summary.
 - a. If the project is residential, calculate the total number of residents to be living on the site.
 - b. If not located within the service area of the Tucson Water Department, indicate assured water supply and water district, and note if the supplier is certified.
 - c. Indicate whether the project can be connected to existing infrastructure or whether the project requires new off-site improvements to the infrastructure.
 - d. If on-lot sewage disposal is proposed, state the reasons for not utilizing public sewer service.

(Sources: Tucson Water; Pima County Wastewater Management; and Arizona Department of Water Resources)

E. Soils and Topography.

1. The following is to be mapped.
 - a. Any heavily disturbed areas (by prior grading or excavation) and any unstable soils which may be prone to subsidence.
 - b. Locations of any hazardous materials on the project site placed on the property or naturally occurring, such as landfills, "wildcat" dumps, dross, or radon gas. State whether soil testing has been done for the site, either for the subject proposal or for a previous development.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

- c. Topographic contour lines or spot elevations.
 - d. Direction and percent slope of all areas over fifteen (15) percent if the proposed development is to occur on a parcel identified on the Hillside Development Zone (HDZ) maps available in the Planning Department.
 - e. Any other significant conditions on the site.
- 2. The following information is to be provided in the form of notes on the map or in a separate report.
 - a. If applicable, describe soil suitability for septic use.
 - b. Locations of any landfill sites or hazardous materials storage within one (1) mile.
 - c. Any other existing facilities/operations within one (1) mile which may impact the project (such as sand/gravel operations, power plants, airports, sewage treatment plants, etc.).

(Sources: City Sanitation Division - Department of Solid Waste Management; Pima County Wastewater; United States Geological Survey topographical maps; Pima County Department of Environmental Quality; U. S. Dept. of Agriculture Soil Conservation Service; and Pima Association of Governments)

F. Drainage.

- 1. The following is to be mapped.
 - a. On-site and off-site drainageways which relate to project site drainage characteristics. Note if part of any of the drainageway or its adjacent off-site system is natural or constructed (engineered channel, etc.). Are constructed drainage channels proposed as part of the project?
 - b. One hundred (100) year floodplains on the site or adjacent to the site.
 - c. Drainageways subject to the provisions of the Environmental Resource Zone (ERZ) or Watercourse Amenities, Safety, and Habitat (WASH) ordinances.
 - d. Spot elevations or topographic contour lines.
 - e. Erosion hazard (setback) areas.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-07.0
REZONING PROCEDURES**

II. CONTENT AND SUBMITTAL REQUIREMENTS. (Cont'd)

2. The following information is to be provided as notes on the map or in a separate report.
 - a. Estimated amount of cubic feet per second (cfs) on record at peak flow one hundred (100) year event currently entering and leaving the site.
 - b. Whether existing condition is sheet flow or in a contained channel (natural or constructed), and locations of proposed retention/detention areas.
 - c. Estimated peak one hundred (100) year flow entering and exiting the site after development.

(Source: City Office of Floodplain Engineering)

- G. Preliminary Development Plan. Once the maps, notes, and other written documentation have been prepared for the six (6) elements discussed above, the information can be used in designing the project and in preparing the preliminary development plan. (Refer to **Exhibit I** for information.)

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

PLAN AMENDMENT PROCEDURES

1-08.1.0	PURPOSE
1-08.2.0	SCOPE
1-08.3.0	DEFINITIONS
1-08.4.0	APPLICABLE REQUIREMENTS
1-08.5.0	PLAN AMENDMENT DETERMINATION
1-08.6.0	PLAN AMENDMENT PROCEDURES
1-08.7.0	INCLUSION OF RELEVANT DOCUMENTATION IN REZONING FILES
1-08.8.0	DOCUMENTATION OF PLAN AMENDMENT IN PLANNING DIRECTOR'S RECOMMENDATIONS ON REZONING CASES
1-08.9.0	RESPONSIBILITY FOR REVIEW OF STANDARD
EXHIBIT I	DIAGRAM OF PLAN AMENDMENT PROCESS

1-08.0.0 PLAN AMENDMENT PROCEDURES.

1-08.1.0 PURPOSE. This Standard is established to provide supporting information to the amendment procedures, as currently adopted in the Tucson *Land Use Code (LUC)*, for subregional, area, and neighborhood plans. This Standard is specifically established to assist applicants when a plan amendment is required, prior to pursuing a rezoning application for a piece of property.

1-08.2.0 SCOPE. This Standard applies to any rezoning request that does not conform with adopted land use plans.

1-08.3.0 DEFINITIONS. Definitions for words used in this Standard are found in the Development Standards Glossary or in Sec. 6.2.0 of the *LUC*.

1-08.4.0 APPLICABLE REQUIREMENTS. The *LUC*, under Sec. 5.4.2.2, Type II Legislative Procedure, and Sec. 5.4.2.3, Type III Legislative Procedure, requires that rezoning applications be in compliance with applicable subregional, area, and neighborhood plan policies; otherwise, the rezoning application cannot be accepted. Should the rezoning request not be in compliance, then the rezoning application must be amended to be in compliance, or an application must be submitted requesting the amendment of the identified plan policies. Plan amendments are processed in accordance with Sec. 5.4.2.1, Type I Legislative Procedure, of the *LUC*.

Rezoning applications not in compliance with applicable plan policies cannot be accepted for processing because rezonings have specific timetables. A rezoning request must be heard in public hearing within seventy (70) days of acceptance of the application. This timetable does not allow adequate time for the plan amendment to be processed and a decision issued prior to the rezoning public hearing. In addition, both staff and the Zoning Examiner make recommendations on rezoning requests based on the direction given by Mayor and Council on the plan amendment.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

1-08.4.0 APPLICABLE REQUIREMENTS. (Cont'd)

Note: The *LUC*, under Sec. 5.4.2.1.C, establishes a minimum period of two (2) years after plan adoption before staff can accept an amendment request. However, Mayor and Council may consider a request for a plan amendment within this two (2) year period and direct staff to accept such a request.

1-08.5.0 PLAN AMENDMENT DETERMINATION.

5.1 Requirement for a Plan Amendment. Rezoning applications must be in conformance with adopted plan policies before a rezoning application can be accepted for processing. There are three (3) basic ways in which a determination that a plan amendment is required can be made. These are as follows.

- A. *At the Request of the Applicant.* In preparing a rezoning application, the applicant may ascertain that the rezoning request does not comply with one or more of the applicable plan policies and that a plan amendment will be necessary in order to apply for the rezoning. The applicant may request, in writing, a determination directly from Planning staff prior to submitting the rezoning application. A written notice of decision will be provided to the applicant if it is determined that a plan amendment is required.
- B. *Rezoning Preapplication Meeting.* Prior to submitting a rezoning request, applicants are required to attend a preapplication conference. Based on the proposed location of the development and the concept presented by the applicant, Planning staff will provide a preliminary determination on whether or not a plan amendment will be required.
- C. *Application for Rezoning.* Upon submittal of an application for rezoning, the Planning Director has seven (7) days to determine whether or not a plan amendment is required before the rezoning application is accepted. A written notice of decision will be provided if it is determined that a plan amendment is required.

5.2 Appeal of Plan Amendment Determination. The Planning Director's decision that a plan amendment is required may be appealed to the Mayor and Council. The appeal must be submitted in writing to the Planning Department within ten (10) days of the Planning Director's written notice of decision. Appeals are processed in accordance with procedures set forth in the *LUC*, Sec. 5.4.4.3, Type III Appeal Procedure. An appeal stays all processing until the appeal is heard and decided.

1-08.6.0 PLAN AMENDMENT PROCEDURES. Upon determination that a plan amendment is required before a rezoning application can be accepted, the plan amendment request is processed in accordance with procedures set forth in the *LUC*, Sec. 5.4.2.1, Type I Legislative Procedure.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES

6.1 Neighborhood Meeting. In accordance with Sec. 5.4.2.1.B of the *LUC*, the applicant is required to offer to meet with the owners of property surrounding the plan amendment site and other applicable parties, prior to filing a plan amendment application with the City. Written notice of the neighborhood meeting must be sent specifically to the following.

- A. The owners of any property that is, at a minimum, within three hundred (300) feet of the subject site. This distance is measured from the property lines, except where a public right-of-way bounds the site. Where the site is bounded by a public right-of-way, the distance is measured from the right-of-way line opposite the site;
- B. All neighborhood groups that are registered with the City and cover an area which falls within one (1) mile of the site for which the plan amendment is proposed;
- C. The original Steering Committee, which assisted in the development of the plan being considered for amendment. The Planning Department shall provide the plan amendment applicant with the names and addresses of all members of the Steering Committee, which worked on the affected plan, for a period of seven (7) years after the adoption or major revision of the plan; and
- D. The office of the Council Ward(s) in which the subject site is located.

To fulfill plan amendment application requirements, the neighborhood meeting notification letter must be in writing and must include the following.

- A. Notification that the applicant is applying for a plan amendment and, if successful, a subsequent rezoning;
- B. A description of the changes for which the applicant will apply;
- C. The date, time, and location of the meeting; and
- D. The contact person, company, or official applicant's name and phone number.

6.2 Plan Amendment Application Requirements. The following documents and information shall be submitted upon application. The types of documents and the specific number of copies required of each of the documents is listed in the plan amendment application packet. The plan amendment application will not be accepted if any of the required items are omitted.

- A. *Application Form*. The plan amendment application form, which is available at the Planning Department, is to be completed, including the required signatures. If the applicant is not the property owner, a letter from the property owner authorizing the applicant to act as the agent may be submitted in lieu of the owner's signature.
- B. *Fees*. Fees, per Development Standard 1-05.0, shall be submitted with the application. Checks are made payable to the "**City of Tucson**." Planning Department staff will assist with fee calculations.

CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES

6.2 Plan Amendment Application Requirements. (Cont'd)

- C. *Neighborhood Meeting Information.* Written proof of the offer to meet with the surrounding property owners and other applicable parties must be submitted with the application. Required documentation includes copies of the meeting notification letter, the mailing list, the meeting attendance sheet, and the minutes of the meeting. The minutes should include any concerns raised at the meeting and the applicant's response to them, if any.
- D. *Plan Amendment Request Information.*
 - 1. A description of the section of the plan for which the amendment is requested.
 - 2. A statement by the applicant explaining why this amendment is necessary and how it is consistent with the overall goal(s) of the plan.
 - 3. Proposed new language and/or maps which incorporate this change.
- E. *Concept Plan.* In accordance with Sec. 5.4.2.1.C of the *LUC*, the applicant is encouraged to submit a concept plan of the proposed development, particularly for sites of two and one-half (2½) acres or greater. The availability of such a plan could assist staff and the Planning Commission in the determination of whether the proposed plan amendment would be compatible with the surrounding areas. The concept plan would not be formally adopted through approval of the plan amendment, as the project design would continue to evolve through discussions occurring during the plan amendment and rezoning processes.

6.3 Requests for Delays in Processing. When requested in writing by the applicant, the Planning Director can authorize a delay of the plan amendment process for a maximum of ninety (90) days. Additional delays may be granted but also must be requested in writing by the applicant. The Planning Director may delay the amendment process to permit a number of related plan amendment applications to be considered at the same time.

6.4 Withdrawal of Application. The Planning Department may withdraw a plan amendment application at the request of the applicant and/or the party who paid the filing fee. Should an application be withdrawn from processing, the Planning Department shall determine the amount of fees to be refunded, if any are eligible for refund.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

- 6.5 Planning Commission Study Session. Upon receipt of a request for a plan amendment, the Planning Director shall forward the applicant's request to the Planning Commission to be scheduled for study session at the next available date. At the study session, Planning staff shall make a presentation to the Planning Commission, including an evaluation of the proposed amendment and how the proposed amendment, if approved, will affect the plan. The applicant shall make a presentation to the Planning Commission addressing why this amendment is necessary; how it is consistent with the overall goal(s) of the plan; the proposed new language and/or maps which incorporate this change; and any other relevant considerations. After discussion of the proposed plan amendment, the members of the Planning Commission may vote to set the item for public hearing before the Planning Commission or may vote to continue the item for further discussion in study session.
- 6.6 Planning Commission Public Hearing.
- A. *Notification of Public Hearing.* The Planning Department shall provide notice at least fifteen (15) days prior to each public hearing as follows.
1. By Mayor and Council policy, notice shall be provided to the owners of any property that is located within three hundred (300) feet of the subject site. This distance is measured from the property lines, except where a public right-of-way bounds the site. Where the site is bounded by a public right-of-way, the distance is measured from the right-of-way line opposite the site;
 2. By Mayor and Council policy, notice shall be provided to all neighborhood groups and homeowners' associations that are on record with the City and cover an area which falls within one (1) mile of the site for which the plan amendment is proposed;
 3. By Mayor and Council policy, notice shall be provided to the original Steering Committee, which assisted in the development of the plan being considered for amendment. The Planning Department shall notify all members of the Steering Committee, which worked on the affected plan, of the public hearings for a period of seven (7) years after the adoption or major revision of the plan; and
 4. By Mayor and Council policy, notice shall be provided to the office of the Council Ward(s) in which the rezoning site is located.
 5. In accordance with the *LUC*, Sec. 5.4.2.1.F.1, notice shall be provided by publishing an ad in a newspaper of general circulation at least fifteen (15) days, but not more than thirty (30) days, prior to the hearing date. The ad shall include the following information:

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

6.6 Planning Commission Public Hearing. (Cont'd)

- a. a general explanation of the matter to be considered; and
 - b. the date, time, and location where the matter will be considered.
- B. *Planning Commission Public Hearing and Recommendation.* As required by *LUC* Sec. 5.4.2.1.F, one (1) Planning Commission public hearing will be scheduled for subregional, neighborhood, and area plan amendment(s). Prior to the public hearing, the Planning Director forwards a report to the Planning Commission on the amendment. The report includes an evaluation of the proposed amendment; how the proposed amendment, if approved, will affect the plan; and a recommendation on the proposed plan amendment. After the public hearing(s), the Planning Commission forwards its recommendation on the proposed amendment to the Mayor and Council as required by *LUC* Sec. 5.4.2.1.F.
- C. *Reconsideration.* The Planning Commission may, by majority vote of all members, choose to reconsider a decision made on a plan amendment application, provided the vote to reconsider is made within thirty (30) days of the date of decision. Should the Planning Commission vote to reconsider, the reconsideration must take place a minimum of fourteen (14) days from the date of the vote, unless reconsideration occurs at the same meeting as the original decision. If the reconsideration occurs at a different meeting, all persons noticed for the public hearing before the Planning Commission must be notified prior to the reconsideration. This notification shall include the time, date, and location of the reconsideration. If the Planning Commission's decision is not reconsidered within the specified time period and the decision was to deny, the case shall be closed administratively. If, after reconsideration, the decision is to reaffirm a denial, the case shall be closed administratively immediately after the reconsideration.

6.7 Mayor and Council Public Hearing(s). Upon the Planning Commission's issuance of a recommendation, the Planning Department forwards the proposed plan amendment findings and recommendations to the City Manager. The plan amendment case will be scheduled for the required public hearing before the Mayor and Council on the next available agenda. After the public hearing(s), the Mayor and Council may approve, modify, or deny the amendment, or they may refer the amendment back to the Planning Commission for further consideration.

- A. *Notification of Public Hearing.* By Mayor and Council policy, the Planning Department shall provide notice at least fifteen (15) days prior to each public hearing as follows.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

6.7 Mayor and Council Public Hearing(s). (Cont'd)

1. By Mayor and Council policy, notice shall be provided to the owners of any property that is located within three hundred (300) feet of the subject site. This distance is measured from the property lines, except where a public right-of-way bounds the site. Where the site is bounded by a public right-of-way, the distance is measured from the right-of-way line opposite the site;
2. By Mayor and Council policy, notice shall be provided to all neighborhood groups that are on record with the City and cover an area which falls within one (1) mile of the site for which the plan amendment is proposed;
3. By Mayor and Council policy, notice shall be provided to all homeowners associations that are on record with the City and cover an area which falls within one (1) mile of the site for which the plan amendment is proposed;
4. By Mayor and Council policy, notice shall be provided to the original Steering Committee, which assisted in the development of the plan being considered for amendment. The Planning Department shall notify all members of the Steering Committee, which worked on the affected plan, of the public hearings for a period of seven (7) years after the adoption or major revision of the plan; and
5. By Mayor and Council policy, notice shall be provided to the office of the Council Ward(s) in which the rezoning site is located.
6. In accordance with the *LUC*, Sec. 5.4.2.1.G.1, notice shall be provided by publishing an ad in a newspaper of general circulation at least fifteen (15) days, but not more than thirty (30) days, prior to the hearing date. The ad shall include the following information:
 - a. a general explanation of the matter to be considered; and
 - b. the date, time, and location where the matter will be considered.

- B. *Mayor and Council Public Hearing(s) and Decision.* Upon the Planning Commission's issuance of a recommendation, the Planning Department forwards the proposed plan amendment findings and recommendations to the City Manager. The plan amendment case will be scheduled for the required public hearing before the Mayor and Council on the next available agenda. After the public hearing(s), the Mayor and Council may approve, modify, or deny the amendment, or they may refer the amendment back to the Planning Commission for further consideration.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

6.7 Mayor and Council Public Hearing(s). (Cont'd)

- C. *Reconsideration.* The Mayor and Council may, by majority vote of all members, choose to reconsider a decision made on a plan amendment application, provided the vote to reconsider is made within thirty (30) days of the date of decision. Should the Mayor and Council vote to reconsider, the reconsideration must take place a minimum of fourteen (14) days from the date of the vote, unless reconsideration occurs at the same meeting as the original decision. If the reconsideration occurs at a different meeting, all persons noticed for the public hearing before the Mayor and Council must be notified prior to the reconsideration. This notification shall include the time, date, and location of the reconsideration. If the Mayor and Council's decision is not reconsidered within the specified time period and the decision was to deny, the case shall be closed administratively. If, after reconsideration, the decision is to reaffirm a denial, the case shall be closed administratively immediately after the reconsideration.
- D. *Appeal of Mayor and Council Decision.* An appeal of the Mayor and Council decision regarding a plan amendment application would be handled by the court system.

6.8 Reapplication. In accordance with Sec. 5.4.2.1 and Sec. 5.4.5.3 of the *LUC*, new plan amendment applications will not be accepted for any property which had a previous application acted upon by the Mayor and Council within one (1) year of the date of that action, except as follows.

- A. When the application does not involve a request for a zoning district or land use which was denied;
- B. When there has been substantial change in the use of the property adjacent to the plan amendment site since the previous case was heard; or
- C. When there has been an ownership change on the plan amendment site and a substantially modified development concept is presented.

1-08.7.0 INCLUSION OF RELEVANT DOCUMENTATION IN REZONING FILES. When a rezoning case file is opened, Planning Department staff shall place the following documentation in the file on a previous area or neighborhood plan amendment covering any portion of the rezoning site. Relevant documentation includes the following.

- A. The City Manager's Communication to Mayor and Council for the plan amendment application, which includes the City Manager's recommendation to Mayor and Council; the Planning Commission Chair's letter to Mayor and Council indicating the Planning Commission's recommendation; the Planning Director's recommendations to the Planning Commission and the Mayor and Council; and a copy of the plan amendment application, including the concept plan (if submitted).

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**

1-08.7.0 INCLUSION OF RELEVANT DOCUMENTATION IN REZONING FILES. (Cont'd)

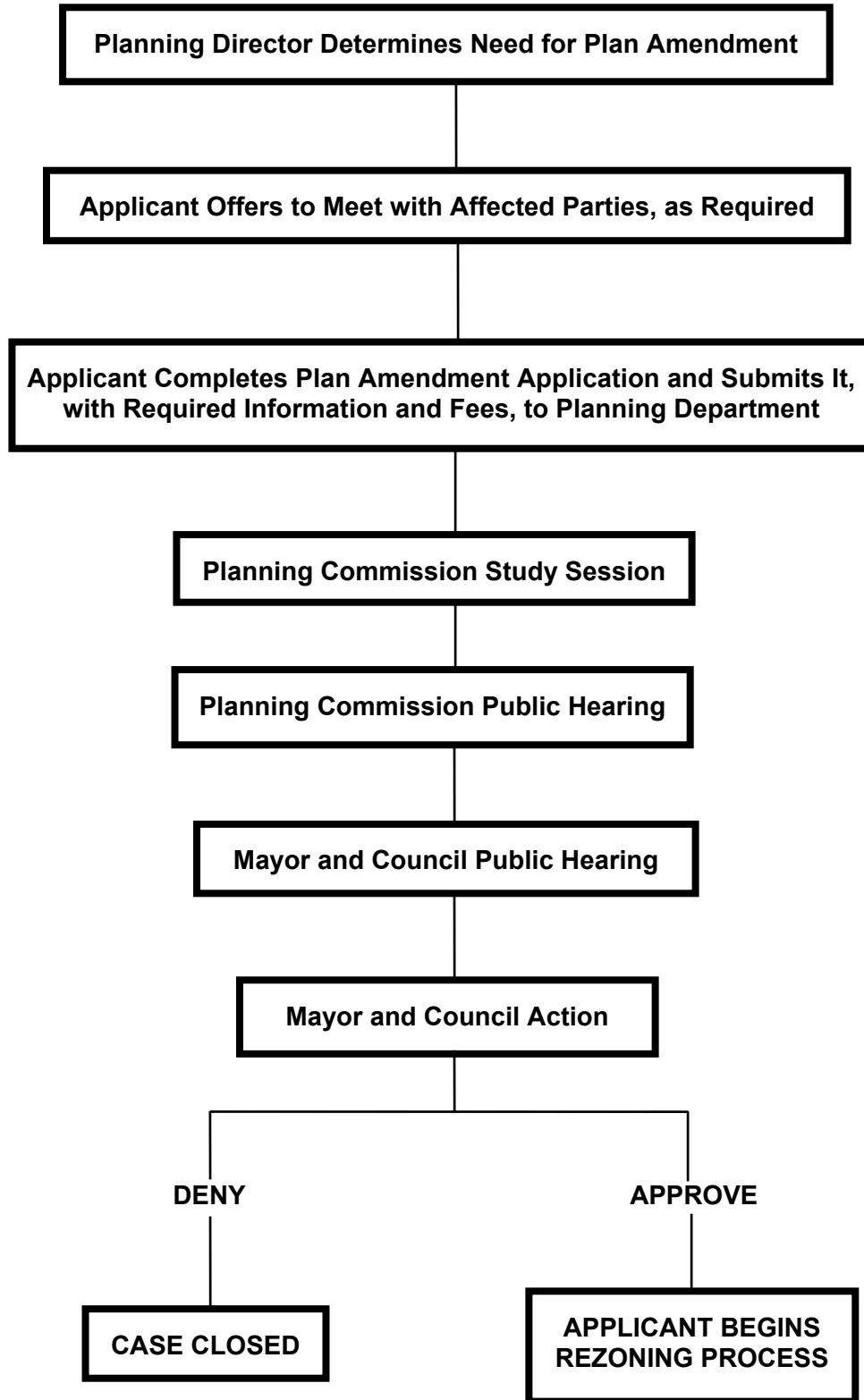
- B. Minutes covering the Planning Commission public hearing on the plan amendment application and Planning Commission action taken. This information shall be documented in the rezoning file only when the Planning Commission decision is consistent with Mayor and Council action regarding the plan amendment application.
- C. The relevant pages of the Mayor and Council Administrative Action Report and Summary for Mayor and Council action on the plan amendment application.

1-08.8.0 DOCUMENTATION OF PLAN AMENDMENT IN PLANNING DIRECTOR'S RECOMMENDATIONS ON REZONING CASES. Regarding rezoning cases on sites associated with previous plan amendments, the Planning Director shall prepare a Recommendation in accordance with Sec. 5.4.5.6 of the *LUC* and forward it to the applicant and the Zoning Examiner not less than fifteen (15) days prior to the scheduled public hearing. Should the Recommendation not be available within the required period of time, the Planning Director shall issue a report containing factual information that has been obtained on the request, in lieu of the full Recommendation, and shall provide staff's analysis and recommendation prior to, or at, the public hearing.

The report or Recommendation, whichever is forwarded to the Zoning Examiner first, shall include, as an attachment, supporting documentary materials related to the Mayor and Council decision on any area or neighborhood plan amendment covering any portion of the rezoning site. The documentation shall include Planning Commission recommendations on the plan amendment request when they are consistent with the Mayor and Council decision, and the items listed above in Sec. 1-08.7.0.

1-08.9.0 RESPONSIBILITY FOR REVIEW OF STANDARD. The Planning Department will review this Standard annually, based on the date of publication, or as necessary.

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-08.0
PLAN AMENDMENT PROCEDURES**



**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 1-09.0
SUBDIVISION PLAT APPROVAL**

SUBDIVISION PLAT APPROVAL

1-09.1.0	PURPOSE
1-09.2.0	DEFINITIONS
1-09.3.0	POLICY
1-09.4.0	PROCEDURES
1-09.5.0	RESPONSIBILITY FOR REVIEW

1-09.0.0 SUBDIVISION PLAT APPROVAL.

1-09.1.0 PURPOSE. To establish procedures for Mayor and Council approval of subdivision plats.

1-09.2.0 DEFINITIONS. Definitions for words used in this Standard are found in the Development Standards Glossary or in Sec. 6.2.0 of the Tucson *Land Use Code (LUC)*.

1-09.3.0 POLICY. State law requires that Mayor and Council approval is given for final plats before the original final plat document is recorded. In the event that any changes are made to a plat after Mayor and Council have approved it, the revised plat is resubmitted to Mayor and Council for reapproval.

1-09.4.0 PROCEDURES.

4.1 Community Design Review Committee (CDRC) Approval. Before a final plat is scheduled for Mayor and Council consideration, CDRC approval is required.

4.2 Scheduling for Mayor and Council Agenda. The original, fully executed final plat is required by the Development Services Department (DSD) prior to scheduling for Mayor and Council consideration. In addition to the plat, all other documents, i.e., Covenants, Conditions, and Restrictions (CC&Rs), access agreements, consents to dedicate, etc., which require recordation with the plat, must be submitted with the final plat mylar.

Upon receipt of the original documents, DSD certifies that the project has been approved by CDRC and schedules the plat for Mayor and Council consideration and recordation, if approved.

4.3 Final Plat Mylar and Associated Documentation Transmitted to City Clerk. The fully executed mylar of the final plat and associated documents are transmitted to the City Clerk. After the Mayor and Council approve the plat, the Clerk signs the original to certify the Council action and records the plat.

4.4 Changes to Approved Plat. If changes are made to an approved plat, the revised document is sent back to the Mayor and Council for approval.

1-09.5.0 RESPONSIBILITY FOR REVIEW. The DSD Director reviews this Standard annually or at such time as necessary.